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# General Assembly
Fiftieth Session

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**29**th plenary meeting
Wednesday, 11 October 1995, 3 p.m.
New York

*President:* Mr. Freitas do Amaral . . . . . (Portugal)

*The meeting was called to order at 3.15 p.m.*

**Agenda item 9 (*continued*)**

**General debate**

**The President:** I call on the Minister for Foreign Affairs of the Marshall Islands, His Excellency the Honourable Mr. Philip Muller.

**Mr. Muller** (Marshall Islands): Please permit me to offer you, Mr. President, our congratulations on your election to your high office and to assure you of our support and cooperation.

To the Secretary-General we wish to express our highest regards and admiration for his leadership; and to the President of the General Assembly at its forty-ninth session, our deep appreciation for his contribution.

This is also a most fitting occasion for me personally to congratulate our brother and neighbour in the Pacific the Republic of Palau on becoming a full Member of the United Nations. My delegation eagerly looks forward to working closely with that country.

Today, as we celebrate the passing of 50 years since the creation of the United Nations, we must also reflect on the events associated with the purpose for which this body was created. The havoc wreaked upon humanity by the Second World War prompted the founding fathers to devise an instrument to ensure a stable world and a better future.

My purpose today is, first, to recognize those areas in which this body has undertaken some major initiatives in various sectors that are of great and direct significance to us in the Marshall Islands. I also will state briefly some of our concerns with respect to our membership in the United Nations, and then I intend to raise those issues whose implications have critical consequences for our survival in our country. As members will note, some of these have been raised a number of times in this forum during the past sessions of this body.

This year, the completion of the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks is of particular importance to my country, and my Government intends to sign and ratify the agreement, which was finalized this summer. We are indebted to the very able leadership of the Chairman, Ambassador Nandan, from Fiji. The Marshall Islands has given its full support to the Ambassador in his candidature to the post of Secretary General of the International Seabed Authority.

I wish to acknowledge the support we have received from the Intergovernmental Panel of Experts of the Climate Change Convention. The scientific evidence we received from them in order adequately to address the Convention confirmed our belief in the existence of such phenomena as sea-level rise in many of our low-lying islands and in our region.

We are particularly concerned by the strong possibility that the Alliance of Small Island States

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(AOSIS) Protocol, now known as the Berlin Mandate, might be derailed because of intransigent short-term economic interests. Such a possibility, arising solely from the desire to facilitate the selling of more oil, if real, imperils our very survival. We will not accept such a condition and we urge that interference and delaying tactics that hamper the work of AOSIS and other concerned countries should cease. The increasing level of destruction caused by hurricanes and storms is a clear signal that the matter is urgent. We have deep sympathy with our friends in the Caribbean countries and in the United States who were recently struck by this devastation.

The follow-up of the Global Conference on the Sustainable Development of Small Island Developing States that was held in Barbados last year will be looked at during this General Assembly session. The comprehensive and ambitious programme involved has received the wholehearted endorsement and support of the Marshall Islands Government. In this regard, may I extend our warm thanks to the Chairman of AOSIS, Her Excellency Ambassador Annette des Iles of Trinidad and Tobago, for all her efforts.

My Government also looks forward to receiving the recommendations of the Fourth World Conference on Women held in Beijing last month. We will work closely with the United Nations to ensure that the recommendations articulated in the Conference are appropriately addressed.

Mr. President, we endorse without hesitation the concern expressed in your statement in September of this year, in which you stated: "Efforts must be made to ensure that all States that are not yet Members should seek to be admitted in the near future" *(Official Records of the General Assembly, Fiftieth Session, Plenary Meetings, 1st meeting, p. 7)*

In the light of this view, the reasons underlying the inability of many of these nations to become Members of the United Nations should be examined. My delegation feels that the unfair burden that is borne by many of the less developed countries with respect to the current system of assessing the scale of contributions to the regular budget and for peace-keeping operations deters others from seeking their rightful place in this community of nations.

The Marshall Islands participated actively in the High-level Open-ended Working Group on the Financial Situation of the United Nations, and we concur fully with the recommendation that the current floor rate should either be abolished, reduced substantially, or be designed according to a formula by which a country is assessed on the basis of its capacity to pay. A decision to that effect by the General Assembly at this session will undoubtedly help expedite the realization of the goal that you, Mr. President, envisioned.

The current inequities with respect to the existing floor rate have also been noted in a number of reports, including that of the Committee on Contributions. My delegation strongly urges the United Nations to take action on the recommendations made by that Committee as soon as possible.

The need to undertake certain structural reforms within the United Nations in order to make it more efficient and responsive to the changing needs of present-day society is critical. One such area which should be closely looked at is the Security Council, where the concept of permanent membership does not, in our view, constitute fair democratic representation. We are, however, aware of the differences in capabilities which exist among nations. We are aware, too, of the need for this issue to be carefully weighed and believe that possible solutions, including Italy's proposal for a more formal set of subgroups or constituencies, should be seriously studied. This would be particularly helpful within our own regional group. We are hopeful that the High-level Working Group on the Security Council will act with wise expediency to devise viable and acceptable solutions to this important issue.

We are also carefully studying the various reports and proposals developed by different groups on the work of other agencies of the United Nations. One aspect which we consider to be of great importance is the need to determine whether the existence of some of the agencies realistically justifies the resources provided for their support. We must arrive at a frank assessment of whether the tasks entrusted to an agency are actually carried out in a meaningful way, and what that work produces in terms of results. As long as this issue remains inadequately addressed, the climate of resentment and suspicion will persist and may give rise to adverse effects on the level of contributions needed to support the work of the United Nations. We must make urgent progress to complete this task of reform.

The Convention on Biological Diversity and its fundamental tenet regarding the conservation and sustainable use of our resources is under serious threat from human activities. Evidence derived from data gathered in our country suggests in no uncertain terms

that nuclear contaminants resulting directly from nuclear-weapons tests conducted in our country have entered our basic food chain, upon which our very livelihood depends causing, among other things, extensive health risks.

We must also pause and reflect on the plight of those groups of victims who, while the rest of the world was enjoying the benefits and freedom of the post-war period, were themselves caught between the crossfire of super-Power rivalries. One such unfortunate group was the people of the Marshall Islands.

We are steadily unravelling the large amount of information now available to us on the nature and consequences of nuclear testing activities carried out in the Marshall Islands. We are deeply disturbed and alarmed at what we are uncovering. For in addition to the unfortunate nuclear tests, we unearthed something just as horrifying as the nuclear tests themselves, if not more so. It grieves me immeasurably to report today that in one of the Trusteeship documents we discovered it was confirmed that in a meeting held in New York on 10 May 1954, the Secretary-General of the United Nations agreed at the urging of the then United States Ambassador, Mr. Lodge, to withhold from circulation to Member States a petition from the Marshall Islands. The Marshallese petition, which pleaded with the United Nations to put an immediate halt to the tests was to be withheld by the Secretary-General pending the completion of the test series. In this petition, the people of the Marshall Islands, through their leaders, had expressed their genuine fears and concerns to the only world institution they believed could help them. In return, however, the high executives in this institution not only failed to consider this a matter of any significant importance, but actually engaged in an act most unbefitting the integrity of this august body.

The ethical implications of this act, unimaginable as they may be, are obvious. Nevertheless, I am raising the issue, and I can assure the Assembly that we shall continue to do so in various United Nations and other international forums. We shall do so until the international community takes action to address our concerns and until this Organization acknowledges the support lent by high officials to nuclear testing in the Marshall Islands.

We want to bring to the attention of the international community the reality and the magnitude of the effect of these tests on our health, our environment and our future development as a nation. We also want it to become aware of our daily struggle to cope with a situation whose radiation-induced nature continues to haunt us, whose complexity in terms of solutions is far beyond our capacity to handle and whose conception was solely for the purpose of countering hostilities and tensions that bore no relationship whatsoever to the Marshall Islands.

And so I ask Member States, when they hear us speaking out about the perils of radiation, to think about these in terms of human suffering and to try to visualize Marshallese children being born faceless, with no bones, or with missing or extra limbs — the jellyfish babies, as some have come to call them — and the irreparable damage wreaked upon the reproductive health of their mothers.

It would be remiss of me, however, not to acknowledge some of the efforts made by the former Trustee in addressing our health and environmental problems caused by radioactive contaminants. We also feel that the international community has an obligation to take serious note of our concerns, as well as to undertake a leading and active role in ensuring that an acceptable process, designed to restore the Marshall Islands to habitable conditions, is effectively and expeditiously set in motion. We were, after all, entrusted by the United Nations itself, and so this body had the moral obligation and the irrefutable responsibility at the time of testing to oversee these activities and to make our safety its primary concern. The same moral obligation, in our view, remains binding even today.

Perhaps one of the most gratifying things occurring — which, I might add, is giving us a ray of hope — is that there is now a growing consciousness of the fact that nothing short of a collective effort is needed in order to focus on this issue. That some nations are beginning, although slowly, to understand and sympathize with our plight is most encouraging. This consciousness is clearly reflected in their willingness to incorporate our concerns into pertinent and relevant international texts. I should like to cite some examples.

The Review and Extension Conference of the States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, for example, took special note of the international community's responsibility to assist the inhabitants and restore the environment of the former United Nations Trust Territories that were adversely affected by nuclear-weapons-testing programmes.

The Fourth World Conference on Women, held this year in Beijing, recognized that the concept and practice of environmental degradation are incongruent with

development and that the use and testing of nuclear weapons are undeniably one factor in the destruction of the environment, the displacement of people and the creation of high health risks.

The South Pacific Forum, held last month in Papua New Guinea, called upon all Governments and international organizations with expertise in the field of clean-up and the disposal of radioactive contaminants to give appropriate assistance for remedial purposes when so requested by affected countries. The Forum also noted the existence of a special responsibility towards those peoples of the former United Nations Trust Territory administered by the United States that had been adversely affected by nuclear-weapon tests conducted during the period of the Trusteeship. This responsibility includes the safe resettlement of displaced human populations and the restoration to economic productivity of affected areas, the provision of adequate health care and compensation for the loss of life, land and health.

During the post-Forum dialogue in Papua New Guinea our former Trustee — the United States — took the position that it would not stand in the way of the Marshall Islands' exploring the question of or soliciting assistance from other countries or organizations for the purposes of the disposal of radioactive contaminants, the resettlement of affected populations and the economic restoration of the environment. Our sincere hope, however, is that the United States will not take its advocating of such a position as an opportunity to bow out of its obligations. It is our hope that it will, instead, redouble its efforts and, with the assistance of other nations and international bodies, lend its full support for the goal of making our country free of radioactive contaminants.

I should also like to take this opportunity to thank the current Administration for its willingness to acknowledge the United States Government's role in using human beings for radiation experiments, including at least two confirmed instances of medical research, which did not provide any direct benefit to Marshallese subjects.

The unearthing of these horrendous activities is an act of political courage on President Clinton's part. For the Marshall Islands, the White House Advisory Committee on Human Radiation Experiments uncovered vital information about the effect of radiation on people and the environment. The Marshall Islands appreciates the United States Government's recognition that the now infamous Bravo blast was not the only weapon that exposed the Marshallese people and environment to radiation. It is worth bearing in mind that, while Bravo was the equivalent of 1,000 Hiroshima bombs, the total megaton equivalent of weapons tested in the Marshall Islands exceeded 7,000 Hiroshima bombs.

It is an important step in our countries' bilateral relations that we can now begin to broaden our discussion of exposure. Exposure will never again be defined in terms of fallout from Bravo alone, but will now incorporate the cumulative effects of all the tests and the effects of residual contamination in the environment. The Marshall Islands looks forward to continuing to work with the United States Congress and the Clinton Administration to ensure that the recommendations of the Advisory Committee are fully implemented — including the recommendation concerning whether it would be appropriate to add the populations of other atolls to the south and east of the blasts that have shown excessive thyroid abnormalities. We hope that the international community will give these efforts its full support.

As if our own four decades of painful experience with the dreadful business of nuclear testing were not enough, there appeared once again this year in our beautiful Pacific the trauma of yet a further series of nuclear tests, intended to continue until May next year. I refer of course to the French resumption this year of nuclear testing at Mururoa. It is probably because we are far removed from metropolitan centres that there is a tendency for certain people to look at the Pacific as the "ideal desert" for nuclear testing, as one French official recently put it. Often overlooked too is the fact that all island nations spread out across the length and breadth of the Pacific are connected by this mighty ocean. Nuclear damage to one island nation poses immense long-term implications and dangers to others in the region.

As people who are living the nightmarish experience of nuclear testing, we cannot and will not accept the weak argument that the current tests are safe for any of our Pacific neighbours and friends. Nor can we accept the continuation of this irresponsible practice in the region. We have denounced its resumption from the beginning and will continue to do so.

We joined in support of New Zealand's case against France in the International Court of Justice. We took this action with great regret since France has always been a constructive partner in our relationship with the developed world. It is simply incomprehensible to us that this great nation of culture, science and fine arts could visit this abomination upon us in the Pacific region. We

protested to the French authorities, but the first tests went ahead anyway. Although the International Court of Justice declined to hear the case, the decision was entirely based on technicalities. France should not think that this is a victory for it, as many of the judges pointed out that there was a strong moral and legal background for halting the tests. I strongly disagree with the claim made by the French Foreign Minister here a few weeks ago — that the tests were environmentally safe. Look at the situation I have just described in the Marshall Islands. We have also received documentation from a number of eminent scientists which would, at the very least, warrant exercising caution.

Furthermore, France is a State party to the Noumea Convention for the Protection and Development of Natural Resources and Environment of the South Pacific Region as well as the Convention on Biological Diversity. The principle of environmental-impact assessment and the precautionary approach are not compatible with the activities that it is carrying out today. The offer to carry out an impact assessment after the tests are finished is a ridiculous offer, since by then it might be much too late. The tests are violating treaties and they are violating our environment, and I also think that they are a violation of our human rights. The tests must stop. They must stop now.

The collective voice of the leaders of the countries of the South Pacific Forum was heard when a statement was issued during its meeting in Papua New Guinea expressing extreme outrage at the resumption of French nuclear testing in the Pacific. They demanded that France desist from any further tests. The outrage was especially compounded by the intransigence of France, and the People's Republic of China, in persisting with their nuclear tests in the face of the strong views of the Pacific region. My Government stands by the decision announced last week by the Chairman of the Forum, Sir Julius Chan, that France is no longer invited to the post-Forum dialogue.

We are in full support of the extension of the Non-Proliferation Treaty. We will also work actively to achieve a breakthrough in the negotiations for a comprehensive test-ban treaty. We also acknowledge the support of just, fair-minded and world-conscious leaders and peoples, who have condemned and continue to condemn this anachronistic series of tests in the Pacific. We join our voice to theirs in support.

This session provides the community of nations with a unique opportunity to examine our past performance record. As a world-governing institution, the United Nations must look closely at its strengths and build upon them. Likewise, it must pay particular attention to its shortcomings and weaknesses so that it can continue to provide much-needed hope, strength and direction to the nations of the world.

**The President:** I now call on the Deputy Minister for Foreign Affairs of the Democratic People's Republic of Korea, His Excellency Mr. Choi Su Hon.

**Mr. Choi Su Hon** (Democratic People's Republic of Korea) *(spoke in Korean; English text furnished by the delegation)*: On behalf of the delegation of the Democratic People's Republic of Korea, I should like first to congratulate you, Mr. Diogo Freitas do Amaral, on your election to the presidency of the current session of the General Assembly, demonstrating the deep trust and expectation of Member States of the United Nations. It is our hope that through your efforts this session will be crowned with good results.

I should also like to express appreciation to the Secretary-General, Mr. Boutros Boutros-Ghali, for his activities and efforts in strengthening the United Nations and enhancing its responsibility and role.

Fifty years have passed since the end of the Second World War and the foundation of the United Nations. All the people on our planet recall those historic days with unusual feelings.

Over the last five decades, the world's people have followed the path of independence and sovereignty, peace and development, and this process has helped them further confirm their determination and commitment to create a new, free and peaceful world.

For the Korean people, the last five decades have been a period of hard struggle against all forms of challenge and difficulty, and also a period of proud successes and victories in realizing independence under the banner of *Juche*.

The entire population of the Democratic People's Republic of Korea celebrated the fiftieth anniversary of the founding of the Workers' Party of Korea as a grand and victorious festival, with great national pride and confidence, in the wake of the fiftieth anniversary of Korea's liberation.

The strengthening and development of our Party and the progress and prosperity of our Republic are the brilliant fruit of the outstanding idea and wise leadership of the great leader Comrade Kim Il Sung and the respected supreme leader Comrade Kim Jong Il.

The respected and beloved leader Comrade Kim Il Sung devoted his whole life to the prosperity of the fatherland and the happiness of his people, to world peace and the common cause of humankind, and performed immortal exploits which will be recorded in the annals of history. Our great leader is the saviour of our Korean nation, the Tangun nation, and the founding father of socialist Korea. His great revolutionary exploits will remain immortal, along with his august name. The great leader Comrade Kim Il Sung is always with us.

More than one year has passed since the death of our respected and beloved leader Comrade Kim Il Sung, during which there has been neither a political vacuum nor instability in our society, and everything has gone well in all fields — political, economic, military and cultural.

Socialism of our own style, based on the *Juche* idea, has made steady progress, since respected General Kim Jong Il has energetically guided all the affairs of our Party and State, including military and foreign affairs, for more than three decades, always working together with the great leader Comrade Kim Il Sung for the well-being of the people.

The respected General Kim Jong Il is the supreme leader of our Party and State and the Supreme Commander of our revolutionary armed forces. He practices the benevolent politics of love for and trust in the people, basing himself on boundless loyalty and filial piety as well as noble moral obligations towards the fatherly leader.

It is the greatest fortune and a unique blessing of leadership for our people to have Comrade Kim Jong Il, the great leader of our Party and people, as the supreme leader. Today our people absolutely respect and trust the respected General Kim Jong Il, who successfully carries forward the revolutionary cause of *Juche* pioneered by the fatherly leader, and they entrust their destiny to him and march forward vigorously under his leadership.

Rallying closely around the respected supreme leader Comrade Kim Jong Il in single-hearted unity, our people will make our country, our fatherland, more prosperous and defend and glorify our own style of socialism, centred on the popular masses, which is independent and unique, in line with the life-long teachings of the fatherly leader.

It is with feelings of great pride mixed with heartbreaking bitterness that we recall the last 50 years.

As the Assembly is aware, the division of the country and nation imposed the catastrophe of war on the north and south of Korea. Consequently, both sides still suffer from the tragedy of mistrust and confrontation today, when the world is moving towards *détente* and peace. It is indeed aberrant that the legacy of the cold war, dating from the 1940s, continues into the 1990s, and there is therefore no justification whatsoever for its continuation. The failure of Korea's reunification will leave the situation on the Korean peninsula indefinitely unstable, and this will not be helpful to peace in either North-East Asia or the rest of the world.

Since the early days of the national division, the respected and beloved leader Comrade Kim Il Sung put forward a number of reasonable proposals for the peace and peaceful reunification of the country and devoted all his efforts to their realization until the last moment of his life. In particular, 15 years ago the fatherly leader advanced a proposal for national reunification through confederation, based on the concept of one nation and one State, two systems and two Governments. This proposal fully reflects the reality in the north and south of Korea, characterized by the differences in political ideas and systems, as well as the Korean people's desire for national reconciliation and reunification on the principle of neither side conquering or being conquered by the other.

Upholding the Ten-Point Programme for the Great Unity of the Whole Nation for the Reunification of the Country, proposed by the respected and beloved leader Comrade Kim Il Sung, and in accordance with the three principles of independence, peaceful reunification and great national unity and the proposal for a confederal reunification, we will make our best efforts towards the unity of the whole nation, on the basis of patriotism and the spirit of national independence, and towards the establishment of an independent, peaceful and neutral reunified State of Korea.

There is no change in our position with respect to the North-South dialogue. We are prepared to resume it when the atmosphere is created in favour of such dialogue. However, the North-South dialogue, which began after painstaking efforts, has been wrecked by the

South Korean authorities, and the atmosphere is not yet ready for the resumption of the dialogue.

When our fatherly leader passed away, Heads of State and Governments of the world, even those whose countries have no diplomatic relations with ours, expressed condolences for his death. However, the South Korean authorities, far from expressing condolences for the misfortune of their fellow countrymen, ordered the whole territory of South Korea put on an emergency alert, pointing their guns at our Republic. Worse still, they cracked down on the South Korean people who were mourning the death of the father of the nation. Nevertheless, the South Korean authority still refuses to apologize for this grave, unethical crime, because of which he is denied a seat at any dialogue by the Korean people in both the north and the south, as well as abroad. If the South Korean authorities are sincere in their desire to have dialogue with us, all they have to do first is apologize for the crime they have committed against their fellow countrymen.

Another main stumbling-block to the resumption of inter-Korean dialogue and reunification is South Korea's National Security Law, which defines the fellow countrymen in the north as the enemy and criminalizes any South Korean contacts or dialogue with the people in the North. The National Security Law allows no room at all for elementary rights of democracy and freedom in South Korea today. This medieval law is invoked to suppress and persecute a large number of people, including youths and students calling for the democratization of South Korean society and pro-reunification patriots who have visited the north. This has resulted in a total freeze on and blockade of multi-channel dialogues, contacts and exchanges between the north and south. All these facts demonstrate that as long as the National Security Law remains in place, violating human rights ruthlessly and antagonizing the dialogue partners, freedom and democracy are inconceivable in South Korea, and the North-South dialogue and peaceful national reunification will be simply unfeasible.

Voices calling for the abolition of the National Security Law can be heard not only in South Korea but also in various other parts of the world. Last year the United States Department of State urged on two occasions that South Korean authorities abolish their National Security Law, and many delegates called for its abolition at meetings of the United Nations Commission on Human Rights. There is no justification whatsoever for the maintenance of the National Security Law, which is anachronistic and evil. For dialogue and contacts, free travel and exchanges between the north and the south of Korea, all legal and physical barriers, such as the National Security Law and the concrete wall dividing the Korean peninsula, should be removed at an early date.

The top priority on any agenda for ensuring peace and security and hastening national reunification on the Korean peninsula is the establishment of a new peace arrangement. In this regard, as we have made clear more than once, the outdated system of the Korean armistice should be replaced with a new peace arrangement between the Democratic People's Republic of Korea and the United States, which is primarily responsible for peace on the Korean peninsula. The north and south of Korea adopted the Agreement on Reconciliation, Non-Aggression, Cooperation and Exchanges between the South and the North in December 1991, which is a de facto, written, inter-Korean peace arrangement. All that the north and south have to do is put into operation such a peace arrangement that commits both sides to non-aggression.

What remains to be done now is for the Democratic People's Republic of Korea to establish a new peace arrangement with the United States, which holds the real military commanding power in South Korea. This process cannot be delayed any longer, both in view of the contemporary trend shifting towards peace and *détente* and away from confrontation and in the current context of the implementation of the Agreed Framework between the Democratic People's Republic of Korea and the United States.

The United States must fulfil its responsibility and role in working out a new peace arrangement that will replace the system of armistice, a typical cold-war-era legacy still existing on the Korean peninsula. Once legal and institutional mechanisms for such a peace arrangement are in place between the Democratic People's Republic of Korea and the United States, the tension on the Korean peninsula will be defused drastically. This in turn will facilitate the smooth implementation of the inter-Korean agreement and prove helpful in stabilizing the situation in North-East Asia and the Pacific as well.

When both the Democratic People's Republic of Korea and the United States work together with mutual trust, they can resolve those issues that still remain outstanding on the Korean peninsula. This has been proved by the process of resolving the so-called nuclear

issue on the Korean peninsula, about which the world community had once been deeply concerned.

The Democratic People's Republic of Korea and the United States signed the Agreed Framework in Geneva in October of 1994, and since then they have both been taking practical steps to implement it. We have honored our commitment by freezing our graphite-moderated reactors and their related facilities, and in return the United States has been working towards progress with respect to the light-water reactor project to be provided to the Democratic People's Republic of Korea and a number of other agreed areas.

The Democratic People's Republic of Korea has, in fact, fully implemented its obligations under the Agreed Framework between the Democratic People's Republic of Korea and the United States, and this, indeed, goes far beyond the obligations to be fulfilled by a State signatory to the Treaty on the Non-Proliferation of Nuclear Weapons under the Safeguards Agreement with the International Atomic Energy Agency.

There will be no complicated problems that cannot be resolved smoothly if international commitments are implemented as sincerely as the Democratic People's Republic of Korea has done. The point at issue is how the United States will go about proceeding down the road, and we are closely following the course of its actions.

If the United States remains as sincere in its approach as it was during its discussions with the Democratic People's Republic of Korea on the nuclear issue, the issues relating to the establishment of a new peace arrangement on the Korean peninsula will certainly be resolved smoothly.

The continuation of the armistice status in Korea still ties down the relationship between the Democratic People's Republic of Korea and the United Nations to continuing belligerency. The establishment of a new peace arrangement on the Korean peninsula is a matter that deserves the due attention of the United Nations, which has to work hard to do its part in promoting the arrangement's realization.

This is the only logical course both in terms of wiping clean the slate of the past unsavory relationship of the United Nations with the Democratic People's Republic of Korea, a dignified United Nations Member State, and in the light of implementing resolution 3390 B (XXX), calling for the dissolution of the United Nations Command and replacement of the Armistice Agreement with a peace agreement.

The United Nations should do all it can to boldly eliminate the old legacy of the cold-war era and to help establish a new peace arrangement on the Korean peninsula.

I would like to take this opportunity to express our profound thanks to the Heads of State and Government and the peoples of various countries for their support, encouragement and firm solidarity with the Korean people in their just cause of peace on the Korean peninsula and Korea's peaceful reunification.

Today, on its fiftieth anniversary, the United Nations is faced with heavy tasks if it is to work more actively and effectively for the consolidation of world peace and security, the advancement of social and economic development, and the common prosperity of humankind. In conformity with the purposes and principles enshrined in its Charter, the United Nations should make a substantial contribution to the efforts of all countries and nations to safeguard national independence and sovereignty and to build a new, free and peaceful world without any forms of domination or subjugation.

An important priority in the fulfilment by the United Nations of its own mission and role is to make sure that the application of the principle of international justice and fairness is in place. International justice and fairness are vital to the United Nations activities. However, a minority of big Powers are exercising their privileged rights and behaving themselves in a high-handed manner, in opposition to the United Nations Charter, while a majority of small and weak nations are denied their well-deserved positions. Still worse, intolerable events have occurred which ignore the desire of the developing countries and violate their interests.

The United Nations should refrain from any acts running counter to the principle of international justice and fairness in its activities and, moreover, should not unjustly apply double standards that enable certain countries to abuse the United Nations in pursuing their own political purposes.

The United Nations should respect the sovereignty and interests of the small countries and treat all countries on an equal footing, and should prove itself worthy of its prestige as a world body that substantially contributes to world peace and security, to the economic development

of each country and to the greater welfare of peoples. Many countries in the world today are fully justified in their call for the restructuring and democratization of the United Nations. The United Nations will not be able to fulfil its own mission and role unless it adapts to the changes of the times, lives up to the aspirations of humankind and overhauls some impractical structures and authority.

The restructuring of the Security Council is most essential for the democratization of the United Nations.

One of the key points in the expansion of Security Council membership is to accord priority to the developing countries that form an absolute majority of the United Nations membership, and apply the principle of equal regional distribution with due consideration given to the number of countries in each region. A country like Japan which has not apologized enough for, and wiped the slate clean of, its past wrongdoings is not entitled to become a permanent member of the Security Council. Another point is that the veto rights of the permanent members of the Security Council should be abrogated. The removal of the veto system will mean removing the major stumbling-block to the democratization of the United Nations and the elimination of the legacies of the cold-war era that have encouraged hegemonistic and high-handed actions by a minority of big Powers. At the same time, the power and authority of the Security Council should be curtailed, while the General Assembly should be given more power, and open access to all the work of the Security Council should be available, including to its informal consultations. For a resolution of the Security Council adopted on behalf of the United Nations and calling for sanctions or the use of force against its Member States to come into force, the resolution will have to be approved by more than two thirds of the Member States at the General Assembly.

Disarmament, especially nuclear disarmament, is still one of the most important problems placed before the United Nations.

A number of signs of progress in the field of disarmament have emerged since the end of the cold war. However, the process of nuclear-weapons reduction is still moving at a snail's pace, and the concept of what approach should be taken to the existence of nuclear weaponry remains elusive. The continuing pursuit by the nuclear-weapon States of their respective monopolies of nuclear-weapons capability only keeps alive the danger to us of nuclear wars and nuclear proliferation.

The nuclear-weapon States must turn around and measure up to the desire and aspiration of humankind to live in peace on this planet by carrying through the universal and complete abolition of nuclear weapons in line with the present-day trends in favour of the establishment of nuclear-weapon-free and peace zones.

Today, the question of development has assumed a very serious dimension for the absolute majority of the developing countries. It is, indeed, encouraging to note that the preparation of the Agenda for Development that began at the initiative of the developing countries, with a view to the enhancement of the functions and role of the United Nations in the field of development, is now in the home stretch. If the Agenda for Development is to contribute substantially to the development efforts of the developing countries, it should be directed primarily towards the establishment of equitable international economic relations and the removal of gaps between the rich and the poor — between the North and the South. At the same time, we should not allow any attempts to use this development issue as a means to interfere in the internal affairs of other countries by relating it to the so-called protection of human rights.

Today, the non-aligned and other developing countries are working hard to achieve South-South cooperation and establish the South-South economic order. The United Nations should accord priority to the resolution of development issues and take concrete steps to help establish fair and equitable international economic relations that will assist the developing countries in their development efforts and encourage South-South cooperation.

At present, the national independence and sovereignty of several countries are ruthlessly trampled underfoot in different parts of the globe, and disputes and conflicts, both religious and ethnic as well as region-wide, which in some cases escalate into catastrophic wars, continue unabated. It is, indeed, painful to see that peace and security are tattered and people are falling victim to disasters.

We consider that disputes among countries and nations should be resolved peacefully through dialogue and negotiations in conformity with the interests of the peoples of the countries concerned.

Today, all the justice- and peace-loving countries and nations in the world are dynamically struggling to create a new independent world, overcoming all

challenges and difficulties, looking ahead to the twenty-first century from the heights of the present vibrant era.

We actively support the just cause of the peoples of the members of the Association of Southeast Asian Nations (ASEAN) in favour of peace, stability and common prosperity in their region, and the just cause of all other Asian peoples in favour of building a new, independent and prosperous Asia.

We support the Arab peoples in their struggle for a fair and comprehensive resolution of the Middle East question, including the Palestinian issue, and the African peoples in their efforts for independent development of their countries, overcoming all social and economic difficulties.

We extend our active support and encouragement to the Cuban people in their just cause in favour of firmly safeguarding the country's sovereignty and the gains of socialism, and express our solidarity with the peoples of Latin America in their endeavours towards peace and prosperity in their region.

We support the people of the non-aligned and other developing countries in their efforts to achieve social and economic development and establish an equitable international political and economic order.

The Government of the Democratic People's Republic of Korea and the Korean people extends, and will continue to extend in the future, active support and solidarity to the peoples of all the countries in the world in their efforts to build a new society and independent world against all forms of domination and subjugation.

I would like to take this opportunity to express our deep thanks to the United Nations organs, specialized agencies and non-governmental organizations, including the United Nations Department of Humanitarian Affairs, and to various Governments for the humanitarian steps they have all taken in connection with the recent flood damage in our country.

The foreign policy of the Government of the Democratic People's Republic of Korea remains unchanged. The independence, peace and friendship advanced by the great leader Comrade Kim Il Sung in his lifetime and now being implemented by the respected supreme leader Comrade Kim Jong Il are the cornerstone and principle of the Government's foreign policy, and its correctness and vitality have already been powerfully demonstrated in actual practice.

Independence is vital to the life of our Republic and the key factor in its domestic and foreign policies. The independent policy of the Democratic People's Republic of Korea not only guarantees the unique character and stability of our own-style Socialist system, but also makes a substantial contribution to peace and security in north-east Asia and the rest of the world.

True to the lifetime teachings of the fatherly leader Comrade Kim Il Sung, and under the wise leadership of the respected supreme leader Comrade Kim Jong Il, the Government of the Democratic People's Republic of Korea will continue as before its steadfast commitment to independence, to uniting with the peoples of all the countries of the world advocating independence, to strengthening further ties of friendship and cooperation with them, and to carrying through faithfully its duties in the accomplishment of the common cause of humankind for world peace and security.

The delegation of the Democratic People's Republic of Korea wishes to assure the Assembly that, together with various other delegations, it will exert its sincere efforts towards successful debates on the agenda items placed before this session of the General Assembly.

**The President**: I now call upon the Minister for Foreign Affairs and Cooperation of Niger, His Excellency Mr. Bazoum Mohamed.

**Mr. Mohamed** (Niger) (*interpretation from French*): Allow me at the outset, on behalf of my delegation, to extend my warm congratulations to you, Sir, on your election to the presidency of the fiftieth session of the United Nations General Assembly. Coinciding as it does with the commemoration of the fiftieth anniversary of the Organization, your election is indeed evidence of the esteem in which you and your country, Portugal, are held by the international community. You can be assured of the full cooperation of the delegation of Niger.

To your predecessor, Foreign Minister Amara Essy, who has just added to his rich career the record of a job well done here, I convey my best wishes for success in his future activities.

In this transitional year in our Organization's history, I should also like to pay tribute to the Secretary-General, Mr. Boutros Boutros-Ghali, for the dynamic

manner in which he is performing his duties at the head of our Organization.

A half century has gone by since the creation of the United Nations at San Francisco in 1945. Hence, this year's session affords us a unique opportunity to recognize the importance of the historic gesture by which the leaders of the day created the Organization as well as to renew our faith in the ideals and principles of the Charter, which unquestionably stands as one of the most important documents available to mankind for building the world of tomorrow. For young States like Niger, which acceded to international sovereignty 35 years ago, it would be remiss to overlook the forceful role the United Nations has played in the emancipation of peoples and its invaluable contribution to the progress of mankind as a crucible of international cooperation in the political, economic, social and cultural spheres.

Fifty years after the creation of the United Nations the threats created by the cold war, which long paralysed it, have disappeared, making way for healthier and more constructive cooperation between States. This new climate enabled the Organization to extend, a year ago, an emotional welcome to South Africa following its successful victory over the system of apartheid, thus closing after many years one of the most painful items on its agenda.

Since the Madrid Conference, the Middle East too has moved along the irreversible path to peace, crowned by the signature on 13 September 1993 of the Agreements on autonomy for the Gaza Strip and Jericho.

However, this new climate has also created other kinds of threats, threats as formidable as those of the cold-war period and just as disturbing to the peace of many peoples. Conflicts that intermingle nationalism, ethnic rivalries and religious intolerance have erupted in many parts of the world. Democracy, notwithstanding the progress it has made, is finding it hard to take root in countries where worsening poverty, malnutrition, disease and environmental deterioration mete out indescribable suffering.

In other words, the global context in which the present session of the General Assembly is meeting is far from giving grounds for complete optimism. This session should furnish us with an opportunity for a fruitful analysis of ways to create a better world, a world free of such atrocities, a world in which mankind will no longer suffer and in which the ideals of peace, true development and justice will prevail.

The situation of my country, Niger, like that of many other African States, is still fraught with difficulties of all kinds arising out of a disastrous economic environment. A 50 per cent devaluation of our currency, the CFA franc, in January 1994 dealt a severe blow to the living standard of the population.

*Mr. Odlum (Saint Lucia), Vice-President, took the Chair.*

The economic recovery expected as a result of this fairly drastic monetary step has been delayed, for the collective and uniform nature of the measure made it unsuitable to the specific situations in the various countries affected. Unable to count on a significant increase in its raw-material exports, Niger has, on the contrary, experienced an unreasonable increase in the pressure of its external debt and the cost of imports. Despite that, my Government, in conjunction with the Bretton Woods institutions, has undertaken a programme of economic structural adjustment based on a policy of systematic restructuring of the public and semi-public sectors combined with a balancing of macroeconomic aggregates based on a substantial improvement in State revenues and a reining in of public expenditure.

Politically speaking, the democratic process entered into in 1990 is being pursued and expanded, although it continues to experience the growing pains that accompany any new experiment — excesses and abuses of new-found freedoms, a tendency to civic impunity, the excessive growth of all kinds of interest groups, special interests, and so on. However, the existence of active trade unions, an independent and free press and a dynamic civil society are creating the basis for a lasting democratic structure capable of ensuring respect for the rule of law and contributing to the gradual growth of a democratic culture.

After less than four years of institutionalized democracy, Niger held elections for President and for the Legislature. The holding of the last set of elections for the Legislature, advanced to January 1995, was entrusted to an independent electoral commission headed by a magistrate and made up primarily of persons from the Non-Governmental Organization sector, and from human rights organizations and organizations advocating democracy. Several international observers witnessed the vote and all of them said that it was a model of transparency and equity. These elections resulted in a majority in Parliament for the opposition parties. Thus, since that time, Niger has been living under a regime

where the presidential minority does not coincide with the parliamentary majority. This so-called cohabitation regime is the most delicate form of the distribution of constitutional powers and of relations between the different institutions of the Republic. Despite all the difficulties inherent in the exceptionally delicate and unprecedented experience we are undergoing, the regular functioning of the institutional machinery has never been found wanting.

The Supreme Court, the institution entrusted with interpreting the Constitution and stating the law on the basis of which the operation of the Republic's institutions can be ensured, has played a crucial role. Systematic reliance on the machinery of law has been an option of principle supported by the entire political community, which constitutes its dedication to the rule of law and to the stability as well as the security of the country.

It is precisely to ensure the country's security and stability that my Government undertook all the efforts that finally led to the Agreement of 24 April 1995, between the Government and the leaders of the Tuareg rebellion, joined together in the Armed Resistance Organization. As the Assembly knows, since 1991 there has been in the northern part of Niger an armed rebellion claiming to represent the Tuareg community and calling for the establishment of a federal regime, which it believes is the only one that can provide its people with free self-government. The discussions undertaken with the leaders of the rebellion constantly stressed the need to avoid useless bloodshed, and to focus on dialogue, the major focus of which would be the best interests of the country. Thanks to mediation efforts by the friendly countries of Algeria, Burkina Faso and France, to which I once again extend the gratitude of the Nigerian people, we were able on 24 April 1995 to sign a definitive peace agreement. That agreement, based on the principle of respect for the constitution, which enshrines the indivisibility of the Republic, emphasizes two main elements: first, at the political level, the agreement recommends the acceleration of the establishment of decentralized structures and a consequent devolution of administrative and political powers to those structures; secondly, at the economic level, the agreement recommends the implementation of a special programme of economic and social development in the northern part of the country.

With respect to the first aspect of the commitments undertaken in this important agreement, the responsibility of the Government is almost exclusive. But that is not true of the second aspect. Indeed, it is quite clear that the motives for this rebellion, which started at the very time when the country had embarked on the road to democracy and institutionalization of freedoms, are primarily economic. The northern area of Niger, after the past few years of cyclical draught, was in a highly precarious condition due to the upheaval of its ecosystem. Livestock grazing became highly problematic, condemning nomadic communities to wandering and inducing in them a feeling of malaise, which quickly led to claims for a separate identity. The only way to deal appropriately with this rebellion, which is, after all, only a symptom of the real difficulties faced by these people, is to restore hope to all of these hard-hit regions. That is why the peace agreement provides for the holding on 30 and 31 October 1995 of a round-table meeting involving all the countries and institutions linked to Niger, with a view to preparing a special development programme for the northern area. I appeal to all those who wish to help Niger definitively restore and consolidate peace to kindly lend their support to this undertaking.

On the international level, the tragic conflicts in Rwanda, Somalia, Liberia and the former Yugoslavia — to refer only to them — bear witness eloquently to the fragility of the international order that emerged from the end of the cold war, and also to the inability of present structures to provide an adequate collective response when national stability breaks down and when the ensuing internal conflicts give rise to unspeakable suffering.

The situation of Rwanda is among those which, given their gravity and their undermining of the basic principles of our Organization, deserve special attention. My country is following with great attention the efforts undertaken for a year now by the authorities of Rwanda to overcome the consequences of the tragic events that took place there and to consolidate the work for national reconciliation and lasting peace.

The situation in Liberia, after a series of initiatives leading to the establishment of a new Council of State, has taken a truly positive turn. This is an opportunity for me to extend my congratulations to the Economic Community of West African States (ECOWAS) and to all those whose help has been so useful, in particular President Sani Abacha of Nigeria and President Rawlings of Ghana. I wish to congratulate the people of Liberia on their courage and encourage them to persevere on the path of peace and hope that they have paid so dear a price to find again.

In Angola, Niger is following closely the progress achieved along the path to peace and we congratulate

President Dos Santos and Mr. Savimbi. Niger is following with the same attention the developing situation in Western Sahara and we deplore the slow pace of the process for the restoration of peace there.

With regard to the sanctions imposed on Libya by the Security Council, Niger believes that the constructive proposals made by the authorities of that country constitute a serious basis for a resolution of this crisis, whose consequences are so burdensome to the Libyan population and to neighbouring countries such as Niger.

Outside of our continent, Niger welcomed the signing on 13 September 1993 in Washington of the Agreements between the Palestine Liberation Organization and Israel envisaging autonomy for the Gaza Strip and Jericho. The ensuing dynamic led — after very hard work — to a significant breakthrough with the signing of the Agreement on 28 September 1995 in Washington which extends autonomy to the West Bank.

The long tragedy in Bosnia and Herzegovina, a Member State of the United Nations, gives rise to many questions about the capacity of our Organization to ensure respect even for its principles. The Muslim population of that country has suffered too much from the inconsistencies, improvisations and hesitations of the international community, while the Bosnian Serbs, grand masters of *fait accompli* politics, have been allowed to calmly continue their abominable practice of "ethnic cleansing", calling seriously into question the sovereignty and territorial integrity of Bosnia and Herzegovina.

Niger welcomed the military pressure exercised upon the Serbs by our Organization and the North Atlantic Treaty Organization last September, and we warmly welcome the latest peace initiatives led by the United States of America with a view to the return of peace to that region. We hope that this great stride will provide a basis for bringing about just and lasting peace in Bosnia and Herzegovina.

Fifty years after its creation, the United Nations must strengthen its mission of promoting dialogue and cooperation between peoples. It must, even more than in the past, work to limit tensions as far as possible, and to settle conflicts when they erupt but, in particular,. to prevent situations that could threaten international peace and security.

In this spirit, in this special year in the life of our common Organization and in accordance with the principle of universality enshrined in Article 4 of the Charter, Niger has advocated the establishment of an ad hoc committee to look into the question of the representation of Taiwan.

The end of the cold war has not helped to shield the world from the emergence of local conflicts any more than it has made it possible to remove the heavy burden weighing on mankind as a result of the stockpiling and improvement of weapons. However, it is now an established fact that disarmament and the non-proliferation of weapons of mass destruction have a pivotal role to play in preventing conflicts and promoting peace and social and economic development. For this reason, we can congratulate ourselves on the results of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. This Conference, in addition to agreeing on an indefinite extension of the Treaty, agreed that a comprehensive nuclear test-ban treaty would be concluded in 1996 at the latest. Niger wishes to reaffirm its deep desire to see the negotiations now under way lead to the conclusion of a treaty that comprehensively bans nuclear tests, that is universal and that can be effectively monitored.

Our attempts to prevent the proliferation of nuclear, chemical and biological weapons should not make us lose sight of the threat of conventional weapons and the need to control them.

Niger is pleased to applaud here Mali's initiative which this year led the Secretary-General of our Organization to dispatch a mission to the subregion of West Africa to assess the negative impact of the illicit circulation of small arms upon the States of the subregion. We support the recommendations made by the Secretary-General following that mission and we retain the hope that the international community, which gave massive support to the relevant resolution, will give the backing that is indispensable for the implementation of these recommendations.

In recent years, our Organization has invested heavily in conflict prevention and management. Many resources and a great deal of time have been devoted to this area, sometimes to the detriment of development measures. My delegation, however, remains convinced that there is no greater threat to peace than the current stalemate in dialogue between rich and poor countries and the widening of the various inequalities that have ensued.

This session is taking place at a time when the world economic situation is riven by deep-seated imbalances. Although some regions have seen considerable progress, in other regions delays are becoming worse every year, sometimes leading to unprecedented crises. The poorest countries seem to have been left on the sidelines of the progress that the world economy has enjoyed. In some countries the very structures of the State have fallen into complete disrepair and populations have been plunged into the deepest distress. Poverty, hunger and illiteracy plague more than one-fifth of the world's population and in many parts of the world the situation is becoming dangerously worse.

The African continent is requesting, as a priority and urgently, the solidarity of the international community. The weaknesses of its structures persist and frequently grow worse. The current improvement in growth rates are still too weak to compensate for 15 years of economic decline. Economic performances are disappointing even in countries that have undertaken considerable reform.

Despite the international community's commitments in the framework of major conferences and summits of every kind, flows of official development assistance are falling off every year. At a time when developing countries need it most to support their reforms, official development assistance has fallen drastically and the general malaise surrounding this assistance, christened "donor fatigue", is growing worse and worse.

My country regrets that not even the Economic and Social Council high level segment on the development of Africa, including the implementation of the United Nations New Agenda for the Development of Africa in the 1990s, nor the Mid-Term Global Review of the Implementation of the Programme of Action for the Least Developed Countries for the 1990s which has just ended, has made it possible for the international community to arrive at a set of concrete measures that can reverse this trend by creating conditions for sustained and lasting economic recovery and development in the poorest countries.

The silent crisis of poverty, disease and illiteracy should inspire the international community to tackle the roots of the evil by adopting a preventive and more consistent approach to the resolution of these problems. The roots of the problem include the burden of external debt which continues to hamper the development efforts of developing countries. Although we recognize the efforts to reschedule and write off debt under the Naples Terms, we must point out that this is not enough.

Donor countries are fully aware that they, along with the multilateral financial institutions, are the main creditors of our countries and that a large part of the debt servicing they finance simply returns to their treasuries and those of multilateral institutions.

Financial flows on favourable terms are not usually enough to make up the financing deficit of poor countries. Comprehensive and lasting solutions are needed if problems are to be solved once and for all.

The radical structural reforms that developing countries, especially the least developed among them, have undertaken in their economies have proved to be very costly in social and political terms and have not been given sufficient support by the international community. Although structural adjustment remains indispensable to remedy serious economic imbalances, the needs and priorities of the poorest and most vulnerable people should not be neglected. Adjustment and transformation must be designed to improve the well-being of populations. There is good reason to encourage in practice Governments to persevere, but they must also be helped to attenuate the severe impact of such reforms. The struggle against poverty was one of the principal topics of the World Summit for Social Development in Copenhagen last March. The international community made courageous commitments, which we welcome, in particular the commitment to supply the financial resources necessary for integrated strategies to combat poverty, unemployment and social exclusion. We remain hopeful that these commitments will be translated into action and initiatives at both the national and international levels.

The Fourth World Conference on Women that has just recently ended in Beijing is also a landmark of our time in so far as the international community reaffirmed there the importance of the role of women, the main actor in and beneficiary of development, and committed itself to devoting greater resources to improving the status of women and their access to the political and economic life of our countries.

The Agenda for Development, which is now being drafted and unanimously heralded as complementing the "Agenda for Peace" should provide the international community with a new opportunity, in addition to just reaffirming principles, to focus on producing resources commensurate with the task of implementing concrete development initiatives.

A whole series of world conferences in recent years has enabled us to forge a new vision of global development and to define the measures needed to turn that vision into reality. The international community must urgently give tangible proof of its commitment to progress along the path it has chosen.

Any delay can only make the remedy that much more difficult and costly. The commemoration of the fiftieth anniversary of the United Nations, marking a half-century of the existence of our Organization, is highly symbolic and we would be ill advised not to make judicious use of these symbols. This is such a rare occasion that I believe we must take advantage of it.

**The Acting President**: I now call on the Deputy Prime Minister of the Lao People's Democratic Republic, His Excellency Mr. Khamphoui Keoboualapha.

**Mr. Keoboualapha** (Lao People's Democratic Republic) *(spoke in Lao; interpretation from French text furnished by the delegation)*: The unanimous election of Mr. Freitas do Amaral to preside over this historic session, the fiftieth, of the General Assembly is a well-deserved tribute to his country, Portugal. Aware of his talent and his many political activities at the national and international levels, I venture to believe that under his guidance this session of the General Assembly will be successful.

On this occasion, I also wish to pay tribute to, and to congratulate, Mr. Boutros Boutros-Ghali, the Secretary-General of our Organization, for his vigorous efforts in carrying out his very responsible functions for the maintenance of peace and for the promotion of development throughout the world.

The international situation is still complex and in a state of flux. Ethnic, religious and border conflicts still raging in various parts of our planet continue to haunt the international community. Despite numerous efforts to resolve those conflicts, there is no indication that we are anywhere near the goals we have set for ourselves. Bearing in mind past lessons and experiences, we should engage in informed reflection, undertake appropriate actions and act together to find reasonable and peaceful ways to meet these challenges. The realities of the world today show that it is not easy to create an atmosphere where peace and justice prevail, because this involves a noble, difficult and long-term duty, a duty that requires, at one and the same time, patience and resolution, which the international community as a whole is called upon to provide, is in the interest of the nations and the peoples of the world.

In Europe, the conflict in the Republic of Bosnia and Herzegovina, which has caused great suffering to its people, remains without a final solution. The 60-day cease-fire agreement just concluded by the parties involved in this painful conflict is undoubtedly a new stage in the search for a global peace. This agreement also requires that other efforts be made, with a maximum of wisdom and restraint and a readiness to restore peace and stability in this region of the world.

In Africa, after long years of struggle, the apartheid system finally has been abolished. Like all other peoples that love peace and freedom in the world, the Lao people are very happy about this event. We wish ever-greater success to the new South African authorities, under the wise leadership of President Nelson Mandela, in their tireless efforts to build a new South Africa, united, non-racial, democratic and prosperous.

Still on the subject of Africa, the Lao people hope that the ethnic conflicts and violence still raging in some countries of the continent will be peacefully resolved in order to preserve unity and to promote national harmony and development in their respective countries.

In the Caribbean, the overall situation is favourable to the promotion of mutual understanding as well as to the development cooperation between the countries of this region. In this context, the Lao People's Democratic Republic believes that it is high time that the economic blockade decreed unilaterally against Cuba be lifted in order to contribute to the promotion of peace and stability and cooperation between the peoples of this region, without any discrimination whatsoever.

In the Middle East, the conclusion this past September of the agreement between the Palestine Liberation Organization and Israel, which deals with the extension of autonomy to the West Bank region, marks a new, positive step in the implementation of the Declaration of Principles signed in Washington in 1993. The Lao People's Democratic Republic hopes that the Middle East peace process will continue to move ahead, in the interest of lasting peace and of cooperation for development between the peoples of this region.

In the Asia-Pacific region, countries of that region have exerted many laudable efforts to ensure the maintenance of peace and security and promotion of cooperation for development. These efforts enjoy increasing support from the various peoples of the world. The initiative to create a Regional Forum for the

Association of South-East Asian Nations (ASEAN) is another important gauge of the depth and strength of the confidence and cooperation in this part of the world.

The Lao People's Democratic Republic welcomes the positive results of the implementation of the agreements which have been reached between the Democratic People's Republic of Korea and the United States of America and which have contributed to improving the situation in that region. At the same time, the Lao people fully support the ardent aspirations of the Korean people to the peaceful and independent reunification of Korea.

As an integral part of the community of South-East Asia, one of the regions recognized for its activities in favour of maintaining peace and cooperation in the region and in the world, my country, the Lao People's Democratic Republic, has made a worthy contribution to that effort designed to make that region one of peace, friendship and cooperation as well as a nuclear-weapons-free zone. In its effort at national construction, my country has also had new success. Last year, the economic-growth rate reached the level of 8 per cent. The volume of foreign investment has increased, thus contributing to the improvement of the Lao people's living conditions. More important still, political stability and social order in the country are now solidly guaranteed. At the present time, the Lao government is working actively to carry out, under market mechanisms, the development strategy to the year 2000, which would promote economic growth along with social development, the development of human resources and sustainable rural development, while giving great importance to environmental protection and the protection of the rights and the interests of women and children.

In the international arena, the Lao Government will continue to apply its consistent policy of peace, friendship and cooperation with all countries. For the time being, it is concentrating its efforts on establishing the necessary conditions for it to become, in the near future, a full-fledged member of ASEAN. We hope that the countries of that organization, other friendly countries, and international organizations will provide assistance and support for our efforts.

In recent years, the world economic situation as a whole has shown a somewhat positive trend. None the less, the majority of the developing countries still face economic difficulties stemming from many causes. The Lao People's Democratic Republic believes, therefore, that in order for interdependence to be of equal benefit to all, we should resume as quickly as possible North-South dialogue in order to promote cooperation for development. At the same time, every effort should be made to find the means to settle as quickly as possible the debt problem of the least developed countries, in order to create conditions favourable to their development.

The Government of the Lao People's Democratic Republic attaches great importance to the implementation of the Programme of Action adopted by the Social Summit — the first of its kind — which was held last March in Copenhagen. My Government hopes that the international community will work together to implement that Programme and to promote socioeconomic development, which would allow mankind to live in conditions of peace, security and justice.

The Government of the Lao People's Democratic Republic believes that the success of the Fourth World Conference on Women, held in Beijing this past September, created a favourable political, economic and sociocultural atmosphere for the full participation of women in development. We will thus continue to promote and ensure rights to equality between men and women — rights that are clearly specified in our Constitution. We will also continue to mobilize and to help the women of ethnic minorities to participate fully in the development process, as both players and beneficiaries of the fruits of growth.

In the current international situation, even though East-West confrontation has ended, mankind none the less continues to be concerned by the danger posed by the existence of nuclear weapons and other weapons of mass destruction. It is imperative that joint, effective measures be taken to reduce this danger and eliminate it forever. In this context, the Government of the Lao People's Democratic Republic supports the initiative of the countries of South-East Asia to make this region a nuclear-weapon-free zone.

The question of the promotion of human rights and of fundamental freedoms continues to have a high priority on the international agenda. In considering this question, a large number of countries are concerned at the trend to deal only with the civil and political aspects of human rights and to use them to interfere in the internal affairs of other countries, which would violate the rights of peoples to self-determination. Bearing in mind the intrinsic characteristics of each nation, the Lao People's Democratic Republic believes that only a global and balanced approach to this sensitive question would serve

the cause of human rights and would meet the legitimate interests of all peoples.

We are meeting today at a time when the United Nations is actively preparing to celebrate its fiftieth anniversary. This commemoration should be for us all an unprecedented opportunity to review the Organization's performance over the past five decades, with the goal of enhancing the effectiveness of its role in the economic and social development of peoples and in the maintenance of world peace. In a new international context, the United Nations, and in particular its Security Council, should be restructured and democratized in order to become a reliable and upright body enjoying the confidence of all nations and capable of solving global problems. In this spirit, the delegation of the Lao People's Democratic Republic will continue, together with other delegations, to make its active contribution to the strengthening of our universal Organization.

**The Acting President:** I now call on the Minister for Foreign Affairs of Nepal, His Excellency the Honourable Prakash Chandra Lohani.

**Mr. Lohani** (Nepal): I wish first of all, on behalf of the delegation of Nepal and on my own behalf, to congratulate His Excellency Mr. Diogo Freitas do Amaral on his election as President of the fiftieth session of the General Assembly. He has been asked to guide our deliberations at a time of historic importance. His demonstrated abilities, experience and wisdom are an assurance for us that we have made the right choice. I assure him of the full cooperation of my delegation as he performs his duties.

I should like also to express my appreciation to His Excellency Mr. Amara Essy, Minister of Foreign Affairs of Côte d'Ivoire, for the excellent manner in which he steered the work of the forty-ninth session of the General Assembly.

May I also greet the Secretary-General of the United Nations, Mr. Boutros Boutros-Ghali, to whom I wish to convey the gratitude of His Majesty's Government of Nepal for his tenacious and tireless efforts for peace. Since his election to the office of Secretary-General, Mr. Boutros-Ghali has succeeded in large measure in giving shape to United Nations debates through his proposals in the Agendas for Peace and for Development. We also share his vision for better management of the Organization. As a functional democracy with widened commitment to human rights and justice, we await with great interest his Agenda for Democracy. These will be the areas of concern of the United Nations in the years to come.

We are meeting here at a very important juncture. The United Nations is celebrating its fiftieth anniversary, in preparation for our march into the next century. This prompts us to do some new soul-searching about what kind of world we want to shape and what role we want the United Nations to play in it. These questions do not lend themselves to easy answers, but together, at this moment, we can begin the search.

Fifty years ago the United Nations came into being with a mission: to maintain international peace and security, to forge friendly relations amongst nations and peoples, to reaffirm faith in fundamental human rights and to promote economic and social progress in larger freedom. Despite the immediate onset of the cold war and the resultant debilitating Power rivalry, the United Nations has since remained actively engaged in fulfilling the mission. It has had a great impact on the democratization of international relations. Its efforts to promote economic and social development have borne fruit. No less important has been its role in the broadening and strengthening of international law. By helping to accelerate the decolonization process and ensuring the peoples' right to self-determination, it has facilitated the emergence of many independent nations worldwide. Nor can we forget the Organization's contribution to the fight against apartheid. Today, South Africa has emerged as a democratic, non-racial nation — yet another proud Member of the world body, whose goal of universality of membership is near attainment. My delegation extends its heartiest welcome and congratulations to our newest fellow Member, Palau.

The world is undergoing a transformation of monumental proportions, generating fresh hopes and aspirations for peoples all over the world. The pace of democratic reforms continues to surge and so do concerns for the protection and promotion of human rights and individual freedoms. A more liberal world-trade regime is taking shape. Economic interdependence is being acknowledged as a fact of international life. The logic of confrontation is increasingly giving way to the logic of conciliation and cooperation throughout the world. We believe that now is the time for us to seize this new-found opportunity to make the Charter's goal of attaining a world of peace, prosperity, equality and justice irrevocable and timeless.

These positive developments notwithstanding, we are still far from universal peace. Conflicts of enormous cruelty continue to plague the world. The scourge of war still brings untold sorrow to large segments of mankind. We have witnessed, day in and day out, hundreds and thousands of innocent people falling victim to hostilities and the all-but-forgotten phenomena of "ethnic cleansing" and genocide. Thousands more are dying of starvation and disease. Similarly, thousands are being forced to leave their homelands as refugees in different parts of the world. Bosnia and Herzegovina, Somalia and Rwanda present a terrifying picture of what has taken place. These appalling situations challenge the ability of the United Nations and its Member States not only to maintain peace and security, but also to secure a minimum of basic human decency and needs.

That having been said, let me hasten to add that the disappointments we experience are not solely the results of the Organization's failure, but are basically the reflection of a fast-changing global environment in which our expectations were unusually high. The United Nations was called upon to deal with situations for which it was not politically and logistically prepared. We take comfort in the fact that for every failed peace operation there have been numerous others of which we can be justly proud and in which, but for a United Nations presence, the fatalities would have been vastly greater. The United Nations has helped bring peace to Angola, Cambodia, El Salvador, Haiti, Mozambique and Namibia. Even in the territories of the former Yugoslavia, the real good the United Nations has done is being appreciated now. The 8 September peace plan advanced by the Contact Group of five Powers and accepted in principle by the concerned parties is a beacon of light at the end of the tunnel. My delegation supports the Geneva agreement on the principles of a settlement based on the territorial integrity of the States of the former Yugoslavia within internationally recognized borders.

My delegation also notes with great satisfaction not only that the peace process in the Middle East is gaining momentum, but that it has become irreversible. The signing of the Israeli-Palestinian agreement in Washington on 28 September by Prime Minister Rabin and Chairman Arafat, in the presence of President Clinton, King Hussein of Jordan and President Mubarak of Egypt, is a turning point in the history of the Middle East. Nepal earnestly hopes that talks will soon resume between Israel and Syria and between Israel and Lebanon so that a just and lasting peace, as envisaged by the United Nations, can be guaranteed throughout the region.

The return of President Jean-Bertrand Aristide to Haiti has been a gain for the United Nations and democracy. The process of peace-building and strengthening of democracy is taking hold in that country. My country is proud to be a part of this process through our participation in the United Nations Mission in Haiti.

In its primary function of maintaining international peace and security, the United Nations has peace-keeping operations as an important tool for conflict resolution. My country has a long history of participation in these peace efforts. From the United Nations Observation Group in Lebanon in 1958 through the United Nations Emergency Force, the United Nations Operation in Somalia and several others to the current United Nations Protection Force in the former Yugoslavia, the United Nations Interim Force in Lebanon and the Mission in Haiti, Nepal has committed its troops, military observers and civilian police personnel to United Nations peace initiatives. Many of our peace-keepers have laid down their lives in the performance of their duties. I stand here today to reaffirm Nepal's continued response to any call for a contribution to the peace efforts of the United Nations.

Peace-keeping operations have of late become multifunctional. Their functions have extended beyond the traditional role of monitoring cease-fire and truce agreements. They have been drawn into multifarious relief and humanitarian duties in excessively difficult and dangerous situations. Because of a lack of clarity in mandates and the absence of contingency plans and reinforcements, which should have been clearly foreseen, not only have our Blue Helmets been forced to stand aside as the posts they were manning were overrun: they have also been held hostage, chained and humiliated in their dignity as men and soldiers. Such sorry spectacles should not be seen again. The mandates for the new generation of peace-keeping operations must be clearly defined. Above all, it is essential that the capacity of the United Nations to serve the interests of peace in a timely fashion be increased. In this connection, I should like to reiterate my delegation's support for the initiative concerning the stand-by forces to be made available to the United Nations within pre-agreed response times for any new or expanded peace-keeping operation.

In the final analysis, peace-keeping operations are only a temporary arrangement. Real solutions lie in getting at the root of the problem, which can best be overcome by promoting economic development, protecting human rights, securing social justice and

affirming democratic principles. Without real progress in these areas, international peace and security will remain an unattainable goal. It is therefore imperative to restore the balance between the United Nations political and military activities and its economic and social programmes.

The 1990s have often been described as a period of unprecedented changes marked by the end of the cold war, the cessation of Power rivalries, economic globalization and interdependence, a greater flow of capital, goods and services, and the widespread dissemination of ideas through a revolution in communications. A huge peace dividend was expected to accrue to the global economy. But these hopes have been dashed because the condition of the neediest countries, including the least developed and land-locked, has actually declined in the past five years. A constructive dialogue and partnership between developed and developing countries based on a mutuality of interests, interdependence and shared responsibility has not materialized. Many developing countries have carried out painful structural reforms but the socio-economic outlook has not been encouraging for them. Ironically, even the new world trade regime, promising fresh trade and development opportunities for many countries, will have an adverse impact on the economies of the least developed if substantial corrective measures are not taken in time.

A number of important conferences in recent years have underlined both the inadequacies and the promises of international cooperation. Agenda 21 of the Rio Conference on Environment and Development remains largely on paper for want of necessary resources. The central role of human beings in development was affirmed last year by the International Conference on Population and Development. The Copenhagen World Summit for Social Development recognized three interrelated concerns of the United Nations: poverty, unemployment and the disintegration of societies. The Fourth World Conference on Women, in Beijing last month, sought to address the basic Charter principle of absolute equality between men and women in the contemporary world order.

Individual human beings and the improvement of their lots are at the centre of all development, as is emphasized so eloquently by the Secretary-General in his Agenda for Development. Peace, economic growth, the environment, justice and democracy are now recognized to be the five integral dimensions of development. Greater resources and political will are urgently needed to transform our promises and commitments into action. Strengthening rather than weakening the principal development arms of the United Nations, such as the United Nations Development Programme, the United Nations Children's Fund, the United Nations Conference on Trade and Development and the United Nations Population Fund; a reformed Economic and Social Council; reforms within the United Nations structures; and increased cooperation between the United Nations bodies and Bretton Woods institutions are key to a new approach to meaningful international development cooperation in the next half century of the United Nations.

The last decade of the century has also opened up exciting possibilities to prevent the proliferation of weapons of mass destruction and to decelerate the arms race. As host to the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific, Nepal has been a strong consistent believer in institutional arrangements for the strengthening of the world disarmament campaign. We believe in international, regional and subregional dialogues for the enhancement of openness, transparency and confidence-building and for the promotion of disarmament and security. The major focus of disarmament measures in 1995 was the Review and Extension Conference of the Nuclear Non-Proliferation Treaty held in New York in April-May. Not only did the Conference strengthen the nuclear non-proliferation regime by extending the Treaty for an indefinite period, it also adopted a widely hailed package of decisions, emphasizing the need for the establishment of a comprehensive disarmament regime to meet the security concerns of all countries through the fulfilment of commitments undertaken by the nuclear-weapon States. These commitments include the speedy conclusion of a comprehensive test-ban treaty, legally binding security assurances to non-nuclear-weapon States against the use or threat of use of nuclear weapons, the unimpeded non-discriminatory transfer of nuclear technology for peaceful purposes, a cut-off in the production of fissile materials for weapons purposes and the eventual elimination of all nuclear and other weapons of mass destruction. We therefore express our deep disappointment at the resumption of nuclear testing. We sincerely hope that these series of tests will not impede the conclusion of a comprehensive test-ban treaty in 1996.

Nepal also extends its support for initiatives for a complete ban on chemical, biological and other inhumane weapons such as anti-personnel mines. I wish here to point out that in the post-Second World War era, more than these categories of weapons, conventional weapons have caused the most misery to mankind. The consideration of conventional weapons should also be a

priority of United Nations efforts. May I take this opportunity to reiterate our position as to the utilization of the resources released by disarmament measures for development, particularly in developing countries.

It is entirely proper that the approach of the fiftieth anniversary of the United Nations should have spurred a variety of serious studies on the future of the Organization.

Among these, the consensus resolution prepared and negotiated by the President of the General Assembly at its forty-ninth session on the strengthening of the United Nations system is of great relevance at the present time. While high-level working groups have been patiently busy preparing recommendations to improve the financial situation of the United Nations and concerning the expansion of the Security Council, Nepal believes more in a coordinated and integrated approach to making our Organization more efficient, effective and adaptable to the changing times.

There appears to be universal recognition that the Security Council, the principal organ of the United Nations primarily responsible for the maintenance of international peace and security, should more fully reflect the realities of the contemporary world.

The perpetuation of exclusive rights may not be justified, especially without the proper accommodation of other pressing considerations. There is undoubted consensus on the need for an increase in membership. If an increase has to be effected in both the permanent and non-permanent categories, the basic principles of regional and democratic representation should not be vitiated. In the selection of members of the Security Council, due regard should of course be specifically paid to the contribution of Member States to the maintenance of international peace and security. However, particular consideration should be given to ensuring that no region should be under-represented or unrepresented, and that a minimum of balance is maintained in the overall membership between the industrial North and the developing South.

It is painful to see the United Nations afflicted with financial problems. In our view, this is not due to faulty assessment systems. The non-payment of accepted obligations is largely to blame. The present deficit of more than three and half billion dollars amounts in fact to more than three times the regular budget of the Organization. While we are prepared for a review of the current assessment systems based on the doctrine of capacity to pay, and while we believe that no one country should be asked to assume excessive burdens, we urge that Member States pay their dues on time. We note that the Secretary-General has been forced to resort to cross-funding of regular budget deficits from the peace-keeping budget. This is obviously not fair to troop-contributing nations, many of which are developing countries. The withholding of the reimbursements due to them shifts the burden from rich countries to poorer ones.

In conclusion, I wish to touch briefly on the regional cooperation activities taking place in the South Asian region. The South Asian Association for Regional Cooperation (SAARC) will celebrate its tenth anniversary in December this year. Through the medium of SAARC, Nepal is pursuing a policy of promoting regional cooperation in a pragmatic and result-oriented manner. We have identified and are engaged in various areas of cooperation, from the suppression of terrorism to fighting drug abuse and trafficking, from environmental preservation to poverty alleviation. The South Asian Preferential Trading Arrangement (SAPTA), which is entering into force this year, is one of our important regional cooperation measures. Nepal looks forward to working together with our regional partners with greater vigour and determination to bring about regional peace, stability, progress and cooperation.

**The Acting President:** The next speaker is the Minister for Foreign Affairs and Cooperation of Rwanda, His Excellency Mr. Anastase Gasana, on whom I now call.

**Mr. Gasana** (Rwanda) *(interpretation from French):* On behalf of the Rwandese people and of my delegation, as well as on my own behalf, allow me to extend to His Excellency Mr. Diogo Freitas do Amaral my warm and sincere congratulations on his unanimous election as President of the General Assembly at its fiftieth session. This choice does credit to his talent and experience as a diplomat and statesman, as well as to his country.

I am also pleased to take this opportunity to express our appreciation and admiration to his predecessor, His Excellency Mr. Amara Essy of Côte d'Ivoire, whose dedication, competence and commitment during the forty-ninth session of the Assembly do honour to that great diplomat, who embodies the pride of his country and of Africa as a whole.

Allow me also, on behalf of the Rwandese Government of National Unity, to thank the Secretary-General, Mr. Boutros Boutros-Ghali, for the skill and

determination he has shown in discharging his duties, qualities that have scored some notable successes for our Organization and have strengthened its credibility and the esteem in which it is held.

Let me take this opportunity to welcome into this concert of nations the Republic of Palau, admitted as the 185th Member of the United Nations. The presence here of its delegation expands the horizons of the Organization and opens one additional door of cooperation for us.

For my delegation and myself it is a special privilege to take part in this the fiftieth session, which includes the commemoration of the fiftieth anniversary of the United Nations. My delegation is pleased, on behalf of the Rwandan people and Government, to be a part of the concert of nations in celebrating this anniversary. The creation of this Organization following the Second World War was aimed at preserving future generations from the scourge of war, genocide and other evils that had afflicted the human race for centuries.

The United Nations thus drafted a Charter whose fundamental principles are based on human rights, justice and peace. My delegation wishes to take this opportunity to pay tribute to the founding countries of this indispensable Organization, who took the initiative to create a world institution. From the time of its creation, the United Nations has been an ideal forum for the peace-, justice- and progress-loving peoples of the world. The celebration of its fiftieth anniversary is an opportunity for us to take stock of the road we have travelled, to pause and look at our objectives and to revise our programmes with a view to being better prepared for the future. My delegation is pleased that for half a century the United Nations has spared us world wars, and that it has been an indispensable institution for the promotion and maintenance of peace.

As for the developing countries — those of the African continent in particular — during these 50 years the Organization has played an important role in the liberation of many countries from the colonial yoke, and the establishment of numerous United Nations specialized agencies has turned it into an instrument of development in all economic, social, political and cultural spheres. If, thanks to the existence of this worthy Organization, the world has been able to avoid other world wars, it has not succeeded in averting hundreds of conflicts between its Members or in intervening between Member States which, for a number of reasons, have engaged in such conflicts by supporting third countries. Since 1945 wars without exception have shifted from the northern to the southern hemisphere.

Following the end of the cold war it has become imperative to reform and restructure the United Nations to enable it to respond to the aspirations of its Members, especially developing countries that receive the least benefit.

As for the Security Council, we must ensure equitable geographical representation and increase the numbers of permanent and non-permanent seats. This restructuring must provide Africa with some permanent seats, with all the rights and duties that these entail. This is the continent's right, not a privilege. The Security Council is in great need of democratization and the introduction of greater transparency, both among its members and *vis-à-vis* other organs of the United Nations and other States Members of the Organization.

My delegation supports the idea of reforming the United Nations in order to achieve greater efficiency and to avoid duplication in the Organization and between it and the specialized agencies. Such reform should be aimed at strengthening certain institutions and, therefore, should not be interpreted as having any other purpose, such as the reduction of Member States' contributions.

I should like to conclude this introduction by recalling once again that justice and development are key elements for the reigning of peace and security in the world. That is the *raison d'être* of this Organization and the highest desire of the Government and delegation of Rwanda.

This is the first time, since the tragedy of the genocide and planned massacres in Rwanda began to afflict our country and people and the world at large, for members of the new Government of National Unity of Rwanda to participate in this debate at the United Nations General Assembly.

*The President returned to the Chair.*

We know quite well that speaking at the General Assembly is not a simple rite, after which we can just go home. We know that speeches made in this prestigious forum are listened to, analysed and scrutinized, especially because they are opportunities for nations to express the will, aspirations and priorities of their peoples, as well as their positions on international issues of the day; they

must go beyond purely national egoisms and contribute to international understanding and solidarity.

The crime against humanity committed in Rwanda were crimes not just against the Rwandan people but also against the members of this body, who should give us a few moments to submit some reflections on the first and foremost victim of that crime, which, unfortunately, is my own country, Rwanda. With respect to this tragedy, it is painful for us to have to emphasize the conduct of the United Nations, its failure, on the day it decided to withdraw the 2,500 Blue Helmets who were in Rwanda when the genocide and massacres began, thus abandoning a whole defenceless population and delivering it into the hands of the killers.

This was clearly a case of failure to assist a people in danger, a population in peril. A million human lives were lost in these tragic, planned events, as if it had been decided to erase from the map of the world at a single stroke a whole country with a population of that size.

It is important to remind the Assembly that this was not at all a civil war in Rwanda. Rather, it involved militias of the former single party and their supporters, military officials of the former Rwandan armed forces and former politicians, who were engaged in a manhunt against innocent, defenceless people — a manhunt against all the Tutsis in the country and all the moderate Hutus, as well as their parents, other relatives, friends and everyone else close to them.

In this manhunt the victims were stripped of their right to life. They were forced to pay their own killers for the right to die from a bullet in the head rather than be killed with a machete or forced to dig their own graves, into which they would be thrown alive. The price of a bullet in the head or in the heart ranged from 5,000 Rwandan francs to 30,000 Rwandan francs in the countryside, and from 50,000 Rwandan francs to 1 million Rwandan francs or more in the cities.

When the armed forces of the Rwandan Patriotic Front and the democratic forces of change had achieved a military and political victory against these Nazis of Africa, the United Nations, at the request of the Government of National Unity — formed by the groups I have mentioned — created the International Tribunal for Rwanda and entrusted it with the trial of those guilty of the massacres and genocide in the country.

Perhaps this is the appropriate time for the United Nations to restore respect for it by a people still suffering the abandonment to which it fell victim in April 1994. That people looks to the United Nations, which did not protect it from genocide and massacre, to prove itself capable this time of trying and sentencing those whom it could not or would not stop from killing.

The United Nations cannot afford the luxury of yet another failure in Rwanda. President Arap Moi of Kenya has announced that he will not cooperate with the International Criminal Tribunal for Rwanda. That could be a precedent if we are not careful. The President of Kenya as well as the United Nations should take care to measure the degree of poison that the President of Kenya is calmly distilling in the subregion of the Great Lakes by announcing publicly that if the investigators of the International Tribunal for Rwanda dare to set foot in Kenya seeking persons who committed the genocide in Rwanda they would be imprisoned by the Government of Kenya. We fear that this could be the beginning of the failure of the United Nations and the International Criminal Tribunal for Rwanda in bringing to justice the commanders, the planners and those who carried out the genocide and massacres last year in Rwanda. Thus, we await a decision from the Security Council on what it intends to do with respect to the refusal by Kenya to cooperate with the pursuit of persons who have committed genocide who are taking shelter in Kenya, and others who may follow them on the basis of the assurances offered by the President of Kenya in defiance of Security Council resolution 978 (1995) in this respect.

The Government of National Unity of the Republic of Rwanda, wishing to promote peace and security in Rwanda and the subregion, decided when it took office on 19 July 1994 to make the repatriation of refugees its highest priority. We must recall here that the recent Rwandan refugees are not the first ones. They date from 1959 and the bloody events of 1961, 1963, 1965, 1967, 1972, 1973 and 1990. The number of refugees has steadily increased and has now reached the figure of more than 1 million. The international community remained silent about the repeated refusal by the former President of Rwanda to allow these people to return home; he proclaimed that the country was overcrowded and was too small, that there was no room for anyone else, and that the more than 1 million Rwandan refugees would have to remain forever in exile where they had found refuge for more than 30 years.

For the new Government of National Unity of Rwanda — unlike the Governments that preceded it — the repatriation of refugees is part of the process of rehabilitating the human capital that is so much needed by our Government, which has decided to make human beings the focus of its concerns, for it is the people of a country who are the most important source of its wealth, and its greatest asset. It is the population that produces, and it must therefore be taught and re-taught the positive values of tolerance and respect for life and justice — in this case, respect for security, health, and social and socio-professional well-being.

Rwanda, a non-permanent member of the Security Council has always shouldered its responsibilities in the promotion of peace and security in the world — in Bosnia, Somalia, Liberia, Angola, Chechnya and everywhere that armed conflicts have broken out.

Faithful to those principles the Rwandan Government supports any initiative likely to create room for peace anywhere in the world, especially in our subregion. Thus we were present at the Conference in Brazzaville, Congo; the Conference in Nairobi, Kenya, in January 1995; and the Bujumbura Conference in February 1995. The Rwandan Government requests that the conclusions of the Nairobi and Bujumbura Conferences be implemented in order to ensure the rapid repatriation of Rwandan refugees before considering any additional conferences are held. We find it difficult to see what the purpose or goal of such additional conferences would be.

As I had occasion to say at the beginning of my statement, to make a speech at this prestigious rostrum of the United Nations is for any nation an opportunity to express its views and the way it envisages the future of its people and the world in the light of the experience of the past. That is especially the case on this fiftieth anniversary of the United Nations, which is a time to take stock not only for the Organization itself but also for the nations that are its Members.

Rwanda, for as long as it has existed as a country and nation, has been living in a state of constant imbalance that has inflicted on it a whole series of frustrations: the imbalances of the monarchic period, when all Tutsis were forcibly assimilated into the ruling clan; the imbalances of a badly managed colonial era, which engendered its innate frustrations; and the imbalances of the post-independence period, which also created its own frustrations, conflicts and power struggles in the neocolonial world. All these imbalances and the resulting frustrations led Rwanda directly into the large-scale massacres and genocide that took place from April to July 1994.

At present, under the leadership since 19 July 1994 of the Government of National Unity which emerged from political formations that had fought against the Fascist ideology of the former single party and its supporters, Rwanda has left the orbit of constant imbalance, the source of the majority of the ills of which it had been the victim up to that time. Today Rwanda is in what I would call a time of restored balance, in which all progressive people in Rwanda have decided to work together hand in hand, going beyond any ethnic and regional divisions for the sake of the survival of the Rwandan people and nation as a whole. This time of restored balance is a precious moment in the history of Rwanda, in our history, and we wish to assure the Assembly of this. The Rwandan people and Government call upon the United Nations and the entire international community present here to continue to lend their moral, political, material and financial support to the Rwandan Republic and people during the fragile and delicate period of this restored balance. For a country that has so long lived in a virtually permanent state of imbalance, this moment of restored balance is a great and precious moment. It is like a child which has just been born and which one must look after very carefully lest it slip out of one's grasp. Help us, then, to preserve this precious moment of restored equilibrium, for the sake of the future of the Rwandan nation and all the people of Rwanda.

In this respect, we urge journalists and political analysts throughout the world to support the efforts towards unity and national reconciliation of the Rwandan people, which have regained their identity. We ask those journalists and political analysts to abandon the simplistic terms and ideas of the past, to which they have had the habit of resorting whenever they have spoken about Africa and the peoples of Africa, of Rwanda in particular. We beg them to leave the pre-established corridors, not to remain prisoners of these often simplistic terms and ideas of the past, and not to view everything in Rwanda in terms of ethnic dichotomies. Complexity, pure and simple, exists in Rwanda. We must understand it in order to better understand a people which has today regained its identity and its balance and is united in favour of true, lasting national reconciliation, one that is not sensational or superficial, which, rather, seeks to take deep roots.

The Rwandan Government is determined to spare no effort to establish all the necessary conditions for the resumption of economic activities, the deep-going national reconciliation we mentioned a moment ago and the democratization process. In addition to determination, it needs human, material and financial resources to carry out its immense programme of national reconciliation, reconstruction and rehabilitation. This is why the Government and the people of Rwanda need understanding and assistance from the African community and the international community — so that a Rwandan nation can be built on an unshakable foundation and the Rwandan people can enjoy a genuine national reconciliation.

My country, Rwanda, is concerned about numerous problems, both political and socio-economic, of the Great Lakes subregion. In this connection, the idea of holding a regional conference on peace and stability in the Great Lakes region has recently been put forward. However, as we have made clear on other occasions, no one has so far been able to explain what would be original about such a conference, especially with regard to how its substance would differ from that of the conferences on the same subject held in Nairobi in January 1995 and in Bujumbura in February of the same year.

Rwanda considers that for the sake of credibility and efficiency, all the measures deemed appropriate in Nairobi and Bujumbura should first be put to the test, and the necessary conclusions drawn, before envisaging other strategies.

In political and security matters, the unrest and insecurity caused by the rearmament of militias and the former Rwandan armed forces constitute a threat to peace in the subregion. In this connection, the Rwanda Government welcomes the establishment of an international commission assigned to investigate the illegal arms traffic intended to destabilize Rwanda and its neighbouring countries.

In the economic area, the Rwandan Government belongs to subregional and regional groupings whose aim is to integrate the States of the African Great Lakes region. My Government is determined to direct its efforts towards regional economic unity so that the States of the subregion can enjoy peaceful understanding and fruitful cooperation.

Regarding Africa, my Government welcomes the reconciliation efforts of the brotherly people of Angola. My delegation hopes that, for the well-being of its peoples, that country will achieve a lasting peace. The Rwandan delegation welcomes the fact that the parties concerned recently reached an accord on several important questions and adopted an accelerated time-table for the implementation of the Lusaka Protocol with a view to putting a definitive stop to the war and achieving national reconciliation in Angola.

We also welcome the political success recorded by the people of Mozambique for reconciliation and democracy. In the same spirit, we urge our Somali brothers to resume dialogue in order to rebuild their nation for the benefit of the country's population, which has suffered so much. My Government welcomes the dialogue initiated between brothers in Liberia, who yesterday were enemies, with a view to bringing definitive peace to Liberia. In this connection, the official installation of the Council of State on 1 September 1995 makes it possible to hope that the peace process has begun anew. We urge the international community to do its part in helping that war-torn country.

In the Middle East, the peace process initiated with the Israeli-Palestinian accord of 28 September 1995 is encouraging. We also support the peace process under way in Bosnia and Herzegovina.

In conclusion, my delegation hopes that on entering the twenty-first century the United Nations will be well adapted to the challenges of tomorrow's world. Rwanda, for its part, assures the Organization that it will do all it can to establish peace within its borders and preserve peace throughout the world. That is our mission.

**The President:** We have heard the last speaker in the general debate. I shall now call on those representatives who wish to speak in exercise of the right of reply.

May I remind members that statements in the exercise of the right of reply are limited to 10 minutes for the first intervention and to five minutes for the second intervention and should be made by delegations from their seats.

**Mr. Mustafa** (Sudan) (*interpretation from Arabic*): The Foreign Minister of Eritrea, in addressing the Assembly this morning, referred to what he called the obstacles and problems arising, as he alleged, from policies pursued by the regime of the National Islamic Front in Sudan with the aim of spreading instability. Having said this, he called for concerted action by the parties concerned on the regional and international levels.

Actually, we find nothing in Eritrea's statement, that deserves reply and we did not intend to reply to what was said in it about Sudan. However, this type of statement has become a hallmark of the policy pursued by the Eritrean authorities in the region. It is a policy of misrepresentation, deceit and begging for sympathy. The Foreign Minister of Eritrea said that Sudan is ruled by the National Islamic Front. Such talk not only lacks tack but also shows that the speaker has no knowledge of the political composition of the existing system in Sudan, which comprises all the sectors of the Sudanese people. This statement by the Eritrean Minister for Foreign Affairs constitutes interference in the national affairs of Sudan. How could he give himself the right to speak of the internal affairs of other countries while claiming that it is the others who interfere in the affairs of his country?

It is most regrettable that Eritrea should speak of the spreading of instability in the region when it is fully aware, as is the whole world, that it was Eritrea that organized the conference of the armed opposition from the 12th through the 23rd of June 1995, in Asmara with the aim of overthrowing the Sudanese Government by the force of arms. This is overtly stated in the conference's final document under the heading of the so-called "programme and mechanism" for the stepping up of the struggle against the legitimate Government of Sudan. The said document stated: first, the legitimacy of the armed activities by The National Democratic Alliance to overthrow the Sudanese Government through the activities of the various mechanisms agreed upon, secondly, the need to provide support for that purpose; and thirdly, the establishment of a high political military committee to coordinate and supervise the stepping up of that armed struggle.

What does Eritrean authorities call the convening of this conference under their auspices when Eritrea is a neighbouring State, a Member of the United Nations and a member of the Organization of African Unity? What other name could be given to this but naked breach of the second and third articles respectively of the Charters of the two Organizations, regarding respect for sovereignty, and observance of the principles of coexistence, non-intervention in the affairs of other Member States, the resolution of conflicts by peaceful means and not by force. The convening of such a meeting in Asmara posed a direct threat to the security, sovereignty and stability of Sudan and is a dangerous precedent in relations between African countries that is bound to lead to further deterioration of stability and security in the African continent and thereby to jeopardizing international peace and security.

It is regrettable indeed that Eritrea should see fit to sow the seeds of dissension in a region that is still trying to heal the wounds inflicted on it by the instability to which Eritrea's policies contributed. The Eritrean authorities are merely seeking to divert attention from their internal troubles and the challenges that face him.

As for Sudan, it is focusing on rebuilding internally and on promoting economic development. It has no desire to turn its back on such efforts and is not prepared to let anything obstruct its march in that direction. By the same token Sudan which, over the past three decades has hosted and still hosts large numbers of our Eritrean brethren which have reached about half a million, is determined to instil the spirit of coexistence in the region. It is interested in promoting a spirit of responsibility in inter-state relations so that all States of the region may focus on development and stop playing the role of cat's paw in the region.

**Mr. Lukabu Khabouji N'Zaji** (Zaire) *(interpretation from French)*: Speaking in this forum on 9 October 1995, the representative of a friendly, brotherly country with which we share both geography and history and maintain the closest relations, saw fit to single out my country when referring to another destabilizing force in his country — the pirate radio station known as Voice of the People or Radio Democracy. I have in mind the statement made by the representative of Burundi.

I wish to make the following clarification on behalf of my delegation to restore the truth for world opinion.

This so-called Democracy Radio is not located on Zairian territory. According to our information, its transmitter is located inside Burundi, in an area to which the Bujumbura forces unfortunately seem to have no access. It is broadcasting in a zone which it seems is controlled by a Hutu Militia inside Burundi. Moreover, the principal reason for the precariousness of the political situation inside Burundi which is creating the present tension, and which, furthermore, creates fears that it will spread in the near future and create a dangerous situation, is a mono-ethnic army which gives assistance to one ethnic group to eliminate another and also gives assistance to those who lost the elections, in order to force those who won to return a part of the power they gained through the democratic electoral process. That is why it is difficult to implement the Convention on Governance of September 1994.

And, finally, if that radio station were located in our territory — in Zairian territory — we would certainly already have dismantled it just as we contributed to dismantling Radio Mille Collines in Rwanda. Unfortunately, I must emphasize that, according to our information — the same information available to Burundian authorities — the so-called Radio Democracy is located inside Burundi in an area that is not controlled by Bujumbura. Consequently, we do not understand the appeal addressed to my country to help Burundi dismantle a radio station located on its own territory, while, at the same time, its representative is asserting his country's support for the principles of good neighbourliness and non-interference in the affairs of another State, principles to which Zaire subscribes and is deeply dedicated.

We noted with bitterness that our brother from Burundi is indifferent to the burden that this flow of refugees places upon Zaire. We have noted also the admonitory language used by the Permanent Representative of Burundi. We would have preferred to hear the language of justice as articulated by the last speaker today.

In conclusion, we wish to advise our brotherly, friendly country to cultivate the virtues of dialogue, tolerance and reconciliation so that the various components of its population, while enjoying the right to be different, might acknowledge what could unite them and thus avoid for the Great Lakes region tragic events such as the one we experienced last year which will go down in the history of mankind.

**Mr. Lopes da Rosa** (Guinea-Bissau) *(interpretation from French)*: It will be recalled that His Excellency the Prime Minister of Guinea-Bissau made a statement to the General Assembly yesterday in which *inter alia* he informed the General Assembly of the candidacy of Guinea-Bissau for one of the non-permanent seats on the Security Council given to Africa.

In so doing the Prime Minister felt he could rightly solicit the support of all Member States by making it clear that that candidacy was a formal choice and decision taken within the African Group. Indeed, on 23 May 1995, the African Group endorsed the Nominating Committee's recommendation by proposing two countries, including Guinea-Bissau, for the Security Council. That decision was communicated on 26 May 1995, to the Secretary-General of the Organization of African Unity (OAU) in Addis Ababa by the Permanent Representative of Mauritania, the then Chairman of the African Group, in a Note in document New York.OAU/OL/15/255/1995.

It is not my delegation's intention to get into an unpromising polemic where bad faith is mixed with absurdity. None the less, it seems appropriate to us and even useful out of concern for clarity to denounce the statement made yesterday, 10 October, by the representative of Benin, since it lacked the most elementary courtesy and reflected an erroneous and improper interpretation of the right of reply.

My Prime Minister at no time in his statement made reference to Benin. We feel it is our duty to remind the representative of Benin to bear in mind the excellent quality of relations between our two countries and to avoid in the future departures in language which merely show an untimely nervousness that has no place in this forum. The facts are clear. He knows they are in the official documents. Any desire to challenge them will be unproductive and contrary to a practice which, because it is based on the principles of rotation, equity and sovereign equality of States, is part of the jurisprudence of the regional groups.

**Mr. Samana** (Papua New Guinea): I take the floor in my capacity as the Permanent Representative of the Member State of Papua New Guinea, which currently holds the Chair of the South Pacific Forum, to exercise our right of reply to the French delegation's statements in exercise of their right of reply, in reference to nuclear testing in the South Pacific. The South Pacific countries that are Member States of the United Nations include Australia, the Federated States of Micronesia, Fiji, The Marshall Islands, New Zealand, Palau, Samoa, Solomon Islands, Vanuatu and my own country, Papua New Guinea.

At the very outset, I wish to reaffirm that as of 2 October 1995, hours after the detonation of France's second underground nuclear test, the Chairman of the South Pacific Forum, Prime Minister Sir Julius Chan of Papua New Guinea announced to this Assembly the immediate suspension of all post-Forum dialogue with France. This position is consistent with the views of the Forum's Heads of Government.

As a consequence of France's action immediately after the majority decision to extend the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) indefinitely, the individual and collective position of Forum countries remains solidly opposed to French nuclear testing in the South Pacific. And may I add that France's continuous rationalization in defence of nuclear

testing runs contrary to world opinion. We are, therefore, prompted to exercise our right of reply collectively.

Even before the NPT came into force, in 1970, France was conducting nuclear tests in the South Pacific, having begun in 1966. France has conducted 157 tests — 28 atmospheric and 129 underground — in the region since the entry into force of the NPT.

A matter of weeks after concluding the Review and Extension Conference of the Non-Proliferation Treaty, the French Government decided to resume its nuclear testing programme in the South Pacific — to the great dismay of the peoples and Governments of the South Pacific, most of which gave their wholehearted support to the indefinite extension of the NPT on the basis of an understanding by the nuclear Powers that they would exercise utmost restrain and conclude a comprehensive test-ban treaty at the earliest possible time.

We consider the French decision along with the parallel action by the People's Republic of China to undertake further tests to be a great violation of trust. Further tests cast severe doubt on the good will already established. Since breaking the moratorium, four nuclear weapons have been exploded. The latest one was detonated by France on 2 October 1995 — and it is five times more powerful than the Hiroshima and Nagasaki bombs. The peoples and Governments of the South Pacific are seriously aggrieved by France's bad faith in this matter and its insensitivity to their understandable and deeply felt concerns.

The 16 countries represented in the South Pacific Forum have collectively expressed their extreme outrage at the resumption of French nuclear testing in the South Pacific. They demanded strongly that the French Government desist from any further tests. The Forum endorsed the Lakatoro Declaration of the Melanesian Spearhead Group and the Declaration by the South Pacific Forum meeting in 1995, which reaffirm the principles and objectives of the Rarotonga Treaty declaring the South Pacific a nuclear-free zone.

Consistent with the Forum's collective decision, we condemn the actions of the French Government. France's actions constitute a step backward. This retrograde behaviour cannot and must not be treated lightly. How would France feel if someone carried out nuclear testing in the Bay of Biscay? How would France's neighbours feel if France carried out tests closer to Europe? If France insists that the tests in the South Pacific pose no immediate threat and danger to the environment and to the health of the people, why cannot the same tests be conducted in metropolitan France? We know from the history of the Marshall Islands that the environmental and health effects of nuclear testing can be tragic and long-term; this has been adequately described by the Foreign Minister of the Republic of the Marshall Islands, the Honourable Philip Muller.

France has defied the wishes of the peoples of the South Pacific, the appeals by regional and individual Governments and, in particular, the opposition expressed by some member States of the European Union, member States of the Non-Aligned Movement, member States of the Association of South-East Asian Nations, the States parties to the Treaty of Tlatelolco and the Treaty of Rarotonga, the non-governmental organizations and, indeed, the international community as a whole — all designed to induce France to put an immediate end to its nuclear testing programme.

France's actions are contrary to the spirit and intent of the relevant treaties and conventions, more specifically in relation to the Noumea and the biodiversity Conventions, to which France is a State party.

Nuclear testing by the French Government immediately after the global community decided indefinitely to extend the Nuclear Non-Proliferation Treaty directly contradicts the principles and objectives of the non-proliferation regime. We strongly urge France to sign the Protocols to the Treaty on the South Pacific nuclear-free zone and thereby show respect for the legitimate wishes and concerns of the nations and peoples of the South Pacific, which are compatible with the spirit and letter of article VII of the NPT.

We expect France to act responsibly and to play a positive role in the development of the South Pacific region for the mutual benefit of all concerned. There is absolutely no justification to undertake such a disgraceful and deplorable activity. It only serves to create distrust, and threatens the peace and security of the peoples of the South Pacific and, indeed, the world.

Consistent with the principles and objectives of the Treaty of Rarotonga and the Treaty of Tlatelolco, which are aimed at fostering global nuclear non-proliferation, we abhor and condemn all nuclear testing in any part of the globe. While we welcome France's stated commitment to supporting the conclusion in 1996 of a truly comprehensive nuclear test-ban treaty, we believe

that such a commitment will be credible only if it is accompanied by an immediate cessation of all nuclear tests.

We will hold the Government of France responsible for any damage to the environment or the health of the people caused by its nuclear testing in the South Pacific.

In conclusion, we do not question the prominent role played by France in international affairs. However, such a status of prominence does not only confer privileges, but also carries with it obligations and responsibilities. The French Government, therefore, is obliged to act as a responsible member of the international community. The recent testing of nuclear devices by France in the South Pacific is totally irresponsible and undermines its credibility.

It is in this light that we renew our call on President Chirac and his Government to acknowledge the weight of international opinion against nuclear testing in the South Pacific. We strongly urge France, therefore, to immediately abandon its remaining test programme in the South Pacific, in keeping with the spirit of nuclear non-proliferation embodied in the Treaty on the Non-Proliferation of Nuclear Weapons.

**Mr. Jallow** (Gambia): My delegation would like to refer to the statement made this morning in this Assembly by the Foreign Minister of Madagascar, His Excellency Mr. Jacques Sylla, and to express very strong reservations about the negative comments he made about the Gambia and its present leadership. These negative comments about the Gambia betray ignorance of the full and actual details relating to the change of Government and the present laudable and excellent work that His Excellency Captain Yahya A.J.J. Jammeh, Chairman of the Armed Forces Provisional Ruling Council and Head of State of the Gambia, has been doing since taking over the reins of Government in a bloodless *coup d'état* almost 15 months ago. Throughout this period, the Gambian Government has maintained a strong commitment to and respect for human rights and fundamental freedoms, particularly the individuality, freedom of expression and freedom of movement of all Gambians. It is for these reasons and to safeguard the rights and privileges of our citizens that the Government decided to set up four commissions of inquiry, headed by judges from foreign countries, to investigate suspected cases of corruption and the embezzlement of public funds by some civil servants and former politicians. The proceedings of the commissions are open to all and are reported by the media.

Madagascar's semblance of democracy, gained only yesterday, should not make it hurriedly assume the role of custodian of democracy in Africa, or give it the right to make unjustified or unwarranted derogatory statements about the Gambia, especially as we in the Gambia are genuinely engaged in providing a solid and permanent foundation that will ensure not only the sustainable development of our country in the future, but also that the genuine democratic values inherent in the culture and traditions of the Gambia and the Gambians will not be sacrificed to years of political misrule and corruption. The Gambia would have been more accommodating in its understanding of Madagascar's derogatory remarks if the Government of Madagascar had sent an official delegation to the Gambia following the change of Government to study the situation.

In fact, last year His Excellency Captain Yahya A. J. J. Jammeh, Head of State of the Gambia, sent his Special Envoy to Madagascar to explain the reasons for the take-over of power in the Gambia. If anything, this action clearly testified to the interest of the new Government of the Gambia in maintaining and further strengthening brotherly relations with all African countries, given the similarity of our struggle to ensure that — and I quote from the statement made by Ambassador Insanali in Managua, Nicaragua, on 4 July 1994:

> "Each citizen must be guaranteed, in addition to his or her fundamental human rights and freedom, opportunity for economic and social development. Basic rights such as education, health and housing must be provided by the State to guarantee a stable society in which democratic norms and practices can prevail."

Lastly, the Gambia continues to subscribe to diverse international human rights instruments. We continue to respect our obligations under these international covenants and fully support the Organization of African Unity's African Commission on Human and Peoples' Rights and the African Centre for Democracy and Human Rights Studies, located in the Gambia. There is definitely no tangible evidence of violence and violations of human rights in the Gambia.

We therefore do not understand why Madagascar should rise so vehemently against the Gambia, unless it has other motives and prefers to engage in negative campaigns against the Government and people of the Gambia.

**Mr. Tanç** (Turkey): With reference to the statement delivered by the Minister of Foreign Affairs of Greece earlier in the debate, my delegation would like to underline the following points.

The statement of the Greek Foreign Minister contained strong words against Turkey which we believe were not compatible with the desire, expressed by him in the same statement, for a normalization of Turkish-Greek relations. Normalization requires good will and a constructive dialogue. The idea of such a process between Turkey and Greece is supported by Turkey, by the friends of the two countries and by the international community as a whole. There is in fact, a general move in the world today towards resolution of long-standing disputes.

Regarding the Aegean Sea question to which the Minister referred, we wish to say categorically and one more time: this is not a matter in which Turkey threatens Greece; it is a matter in which Greece threatens Turkey. My country is alarmed at the attitude taken by our neighbour and wish to make the following points clear, and hope they will be heard.

The question of territorial waters in the Aegean Sea involves the status quo in the Aegean as determined by the relevant international treaties and instruments, particularly the 1923 Lausanne Peace Treaty. Turkey and Greece, both, have basic rights and legitimate interests in the Aegean, involving their security, economy, navigation and other traditional uses of the high seas. The Greek desire to lay claim to a large part of the Aegean Sea and alter the status quo, at the expense of Turkey's rights and interests, forms the basis of the bilateral disputes in that sea.

Under the present six-mile territorial sea limit of both countries, Greece, owing to the existence of numerous islands, possesses approximately 43.5 per cent of the Aegean. Turkey's share is 7.5 per cent. The remaining half of the Aegean is international waters, freely used by Turkey and other countries in accordance with international law.

Any extension of the Greek territorial sea beyond six miles will expand Greek territorial waters to 73 per cent of the Aegean and thus transform the Aegean into a Greek lake. Greek sovereignty would be extended over the present high seas, international air space, and the continental shelf, which remains a disputed area awaiting delimitation between the two countries. Consequently, contrary to what Greece has maintained, extension of the Greek territorial sea would not be limited to internationally recognized navigational rights and freedoms. Almost all of the Aegean Sea, its seabed, overlying waters and air space will fall under Greek sovereignty and jurisdiction. The Turkish coasts will be surrounded by Greek territorial waters and Turkey will be virtually cut off from the high seas.

The Greek declarations to extend its territorial waters beyond six nautical miles in the Aegean Sea whenever it considers that opportune not only pose a threat to fundamental Turkish rights, but also to peace, security and stability in the region.

Greece cites article 3 of the 1982 United Nations Convention on the Law of the Sea in support of its claims. This argument is invalid. First, Turkey is not a party to that Convention. Secondly, Turkey has consistently objected to a 12-mile limit, in the context of semi-enclosed seas where special circumstances exist. Therefore, such a claim as a rule of customary law cannot be made against Turkey in the Aegean Sea. Thirdly, the 12-mile limit envisaged in article 3 is neither compulsory nor a limit to be applied automatically. It is a maximum permissible breadth that may be applied, as the circumstances permit, within the limitation imposed by the general principles of international law as embodied in article 300 of the Convention, namely the obligation to exercise rights in a manner that would not constitute an abuse of right. Once more, my delegation would like to try to bring it to the attention of Greek authorities that unilateral Greek actions in the Aegean will violate Turkey's vital rights.

The declaration of the Turkish Parliament referred to by the Greek Foreign Minister is a reflection of Turkish public opinion regarding this vital issue. That declaration could not be "authorized" by the Turkish Government as claimed by the Minister. That is not possible in parliamentary democracy. On the other hand, to give an idea about how the Greek Government looks at this matter, it is worth recalling the statement made by the Greek European Affairs Minister, quoted from the Athens News Agency Bulletin dated 1 June 1995. Minister Mangakis stated that

> "the Convention [on the Law of the Sea] was truly of national importance, as it provided the country, Greece, with a weapon" —

we underline the words "a weapon" —

> "in the defence of its rights and national interest".

This weapon is aimed at Turkey. This is a threat against which the Turkish Grand National Assembly adopted the declaration referred to by the Minister of Greece. The declaration expresses the very serious and legitimate concerns of Turkey.

Unfortunately, the same distortion of facts prevails in the Greek Foreign Minister's remarks on Cyprus. We hope that Greece does not believe that the passage of time obliterates memory. We believe that the passage of time will not make anyone forget the responsibility of Greece in the Cyprus issue. The Turkish intervention followed Greece's attempt at annexing the island through a military coup in 1974. The intervention was entirely legitimate, based on the 1960 Treaty of Guarantee, to which Greece is also a party. The question of Cyprus did not begin that year, as the Greek Minister would have us believe. If that were the case, why were the United Nations peace-keeping forces sent to Cyprus in 1964, 31 years ago?

My Government strongly supports the efforts continuing under the auspices of the Secretary-General for the settlement of the Cyprus question. We were pleased to note a similar remark in the Greek Foreign Minister's statement, but were again taken aback by the subsequent remark he made in the same statement, expressing the desire to relegate the Cyprus question to the European Union context.

My delegation finds it difficult to understand why the Greek Foreign Minister's statement contained so many contradictions. We do not believe that the Minister's statement is compatible with the desire, expressed by him, for normalization.

However, as will be recalled, the statement by the Turkish Foreign Minister expresses the hope for a meaningful, comprehensive and result-oriented dialogue and mutual good will. We hope that this offer will be taken up. Such a process will also serve the principles of the United Nations, as well as the accepted norms of relations and cooperation between countries, especially if they are neighbours.

**Mr. Lee** (Republic of Korea): My delegation wishes to speak in exercise of its right of reply to the statement by the representative of the Democratic People's Republic of Korea. Given that the allegations in the statement are groundless, distorted and untrue, my delegation does not feel that it is worthy of response on a point-by-point basis. Rather, I would like to take this occasion to reaffirm the firm determination of the Korean Government to pursue civilized dialogue with North Korea, with patience and perseverance, in the interests of peace and co-prosperity in the Korean peninsula.

We are convinced that the day will come when our brothers in the North will also find it in their interest to pursue reconciliation and cooperative relations with their compatriots in South Korea so that the people in North and South Korea will be able to work together with a view to achieving the national aspiration to reunification.

Allow me to close by quoting part of the address of His Holiness Pope John Paul II on 5 October 1995, in this very General Assembly Hall — I do this particularly for the benefit of the North Korean representative, who obviously was unable to hear his wisdom:

"... the quest for freedom cannot be suppressed".

I repeat,

"... the quest for freedom cannot be suppressed".

> "Modern totalitarianism has been, first and foremost, an assault on the dignity of the person, an assault which has gone even to the point of denying the inalienable value of the individual's life. ...And here we can see how important it is to safeguard the fundamental right to freedom of religion and freedom of conscience, as the cornerstones of the structure of human rights and the foundation of every truly free society". *(Official Records of the General Assembly, Fiftieth Session, Plenary Meetings, 20th Meeting, p. 3)*

**Mr. Ladsous** (France) (*interpretation from French*): The French delegation had asked to speak in exercise of its right of reply following the statement a delegation made today on the question of nuclear tests. Having heard a few moments ago the representative of Papua New Guinea speak in exercise of a "right of reply" on behalf of the countries of the South Pacific forum, I am even more convinced that it is necessary to set the record straight with regard to a number of groundless, unfair and malevolent accusations. And, first of all, I would like to express my astonishment at the use of language which has no place at this rostrum of the United Nations, at the use of words which are unsuitable to relations between sovereign states. I will confine myself to noting this, regretting it and deploring it.

With regard to the substance, I must recall, first of all, that the series of tests my Government is engaging in does not harm the environment and that internationally renowned experts have recognized this again quite recently. They have endorsed what we have said for a long time, namely, that these tests do not represent any danger to the environment.

Do I need to recall that this series of tests is not contrary either to law or to the commitments my country has undertaken? I think the representative of Papua New Guinea himself mentioned the formula which was endorsed during the Conference to review the Treaty on the Non-Proliferation of Nuclear Weapons. It was not a question of a prohibition on testing; it was a question of asking for utmost restraint. Utmost restraint does not in any way mean prohibition. Need I also recall that my country had never ruled out the possibility that it would have to complete this series of tests?

In conclusion, I would recall that the commitments undertaken by my Government are clear. We are proceeding to a final series of tests — eight at the most — and it will be completed by the end of May 1996. This series of tests is necessary to ensure, for the future, the reliability and safety of the French nuclear armament and to enable us to have an independent mastery of these simulation techniques.

The representative of Papua New Guinea, on behalf of the Pacific Forum, recalled the decision of the countries of that Forum to suspend the post-Forum dialogue with my country. They certainly have the right to do that. France, as far as it is concerned, is still willing to pursue dialogue with all the Member States of the United Nations — indeed, with all the States in the world, without any exclusion.

**Mr. Kahsai** (Eritrea): I would like to speak in exercise of the right of reply to the remarks made by the representative of the Sudan.

It cannot be overemphasized that the National Islamic Front Government in the Sudan is bent on exporting its fundamentalist revolution outside its boundaries, and especially to neighbouring countries. Its policies and practices have been consistently aimed at destabilizing the entire region by training, arming and dispatching subversive elements. The most recent example is its implication in the assassination attempt on His Excellency President Hosni Mubarak of Egypt.

The central organ of the Organization of African Unity's mechanism for conflict prevention, management and resolution, at its extraordinary meeting of 11 September 1995 in Addis Ababa, Ethiopia, issued a statement in which the Government of the Sudan was called upon to desist from its actions of sponsoring terrorism. Point 6 of the statement reads:

> "Call upon the Government of the Sudan to hand over to Ethiopia the three terrorists who are sheltering in the Sudan on the basis of the 1964 extradition Treaty between Ethiopia and the Sudan".

Point 8 of the same statement reads:

> "Call further on all Governments, and in this case the Government of the Sudan, to desist from engaging in activities of assisting, supporting and facilitating terrorist activities and from giving shelter and sanctuary to terrorist elements, and to act in its relations with its neighbours and with others in full conformity with the Charter of the United Nations and that of the Organization of African Unity".

That is only the most recent document on the subversive behaviour of the Government of the Sudan which solidly testifies to the credibility of earlier statements by Eritrea with regard to the Khartoum Government.

Eritrea has on several occasions written letters of protest to the Security Council, and we hope that the international community will take appropriate steps to deter the National Islamic Front regime's aggressive designs and dreams. If this time-bomb is not defused in time, the virtue of preventive diplomacy will indeed be challenged.

**Mr. Terence Nsanze** (Burundi) (*interpretation from French*): Were it not for a certain *quid pro quo* from my brother and friend the representative of Zaire, my delegation would not have asked to make this statement.

I should like first to stress that relations between Burundi and Zaire are in no way clouded. Relations are excellent, and we very much wish to stress that. I have had several opportunities to express our warmest thanks to the Government of Zaire, and in particular to His Excellency Mr. Mobutu Sese Seko, Head of State of Zaire. The Prime Minister and Minister for Foreign Affairs, Mr. Kamanda wa Kamanda, whom I met here in New York about 10 days ago, can himself bear witness

to the gratitude that the Government and people of Burundi feel for the President of Zaire and to his Government for the very fraternal, conciliatory and valuable positions they have taken throughout the Burundi crisis.

We repeat here, before the entire international community, our total satisfaction with Zaire's policy towards Burundi. Indeed, we are eager to enter into a real dialogue between the Chargé d'affaires of Zaire and myself in particular, and between his Government and my Government in general. To that end, I would like this Assembly to know that my delegation has just taken the initiative of trying to ascertain from the Chargé d'affaires of Zaire which paragraph might have seemed to him to show any ill will towards his country. He was very receptive. I shall read aloud the paragraph from my statement at the 25th meeting of the General Assembly, two days ago, which, according to him, referred to his country and seems to have raised certain difficulties for him:

> "To these attacks is added another destabilizing force which is the pirate radio station cynically baptized 'Voice of the People', or, 'Democracy Radio', which inculcates ethnic hatred within the Burundi population and which works towards the dissemination of neo-nazi-type ideology in this region of central Africa at the end of the twentieth century. We rely on the precious assistance of our neighbouring and brotherly countries with whom we share geography and history and with whom we maintain the closest relations, to dismantle this medium of hatred which is reminiscent of the infamous Free Radio-Television of the Thousand Hills (*la Radio-Télévision Libre des milles collines)* (RTLM), which galvanized the massacres last year in Rwanda." *(Official Records of the General Assembly, Fiftieth Session, Plenary Meetings, 25th meeting, p. 25)*

It will be noted that there is no reference, either direct or indirect, in this paragraph to any country. My Government is appealing to all neighbouring countries in which this radio station might be harboured and from which it might be broadcasting. Even if we had mentioned any country by name, it would not have been to denounce it or make accusations against it but, rather, to make a fraternal appeal to it to help dismantle the station.

Thus, we are making no complaint against Zaire. Moreover, we reaffirm the very positive and decisive role played by President Mobutu, and we make an urgent appeal to him from this Assembly to continue to contribute to the restoration of peace and security in Burundi. Indeed, we hope he will make an official visit to our country in order to meet all the political protagonists.

I would add that the Government of Burundi controls all the nooks and crannies of Burundi. The Government controls every bit of our territory. Ambassador Ould Abdallah, the Special Representative of the Secretary-General of the United Nations, is an eyewitness to that fact. He is arriving in New York in two days and can testify to the fact that the Government controls the entire national territory.

Furthermore, as to the false accusation that the army of Burundi is monoethnic, Burundi has universal principles and criteria for recruiting troops: merit, personal qualifications, and conditions that must be met by each recruit. In this respect, I am pleased to put an end to the fabrications that have been disseminated throughout the world — and I am not referring to my colleague from Zaire — about the alleged monoethnicity of Burundi's army.

Over the past two years, Burundi's Government and the High Command of its Army have been determined to involve the international community in the recruitment of Burundi's troops. The United Nations and the Organization of African Unity can bear witness to that. We will carry out no ethnic census whatever before recruiting new troops. The Convention on Governance has not helped any one sector of the population to seize power. This Convention was initiated and endorsed by the international community, starting with the United Nations itself, represented by its Secretary-General, who reaffirmed it during his visit to Burundi last July. Thus, the Convention is not designed to favour one part of the population to the detriment of another. Rather, it will serve as a rallying point for the defence of the various social and political categories.

When it comes to the question of refugees, and this is my penultimate point, my statement, of which I have just read an extract, was unstinting in its praise for the brotherly countries who have indeed taken in Burundese refugees. Nevertheless, I wish to stress that the figure stated by my colleague the chargé d'affaires of Zaire was fairly excessive, since the Office of the United Nations High Commissioner for Refugees has said that there are only a few tens of thousands of refugees from Burundi

there. In the end, I am happy that the chargé d'affaires of Zaire —

**The President** (*interpretation from French*): The representative's time has expired. I would ask him to kindly conclude his statement.

**Mr. Terence Nsanze** (Burundi) *(interpretation from French)*: I was about to conclude, Sir. I was saying that there are only a few tens of thousands Burundese refugees left in Zaire. As to the dialogue to which the chargé d'affaires of Zaire has invited us, I do concede the necessity for such a dialogue. That is, as it happens, the reason it would have been desirable for him to have approached us beforehand to ask if we could assist him in interpreting the meaning we attributed to the paragraph dealing with the pirate radio. I therefore trust that it will be possible for us to enter into a dialogue — indeed, a fraternal dialogue — as our two nations do.

**Mr. Whannou** (Benin) *(interpretation from French)*: The delegation of Benin has no intention of entering into polemics with the representative of Guinea-Bissau, who has just made a value judgment relating to the form and the grounds of the right of reply that was exercised by my delegation on 10 October last. We will leave it to the General Assembly to evaluate the statement made by the representative of Guinea-Bissau, whose form falls below — I repeat, falls below — the standard of debate in our Assembly.

All delegations present here are familiar with the courtesy that has always characterized the actions of my delegation, which did not engage in polemics yesterday. I wish to repeat that it was out of courtesy that Benin refrained during the general debate from rasing the question of the West African candidacy for one of the non-permanent seats in the Security Council. That is because Benin believes in the virtue of dialogue. We felt it necessary to mention this only following the statement of Guinea-Bissau on 10 October last. Our purpose is to make it clear that we maintain our candidacy against that of Guinea-Bissau, which lost its turn when it withdrew from consideration in 1993.

Benin is prepared to serve Africa and the international community in the Security Council, and wishes to count on all Member States of our Organization in the election.

**Mr. Zacharakis** (Greece): The representative of Turkey has chosen the last day of the general debate in order to exercise the right of reply in response to the statement of the Minister for Foreign Affairs of Greece, delivered to the General Assembly 13 days ago.

I do not intend to take the time of the Assembly by commenting on the allegations of the Turkish representative, for the simple reason that I have no doubt that these allegations have convinced everybody here present that the Turkish representative has achieved nothing more than adding insult to injury.

That is an insult which, to be sure, is addressed not only to Greece, but to the United Nations as a whole, since it confirms an indisputable fact: namely, that while our Organization is celebrating its fiftieth anniversary, Turkey, constituting a regrettable exception, continues flagrantly to violate the fundamental principles and provisions of the Charter, firstly by invading an independent and sovereign Member State of the United Nations and by maintaining occupation troops on the territory of the Republic of Cyprus for more than 20 years; and secondly, by openly threatening even today, in this Hall — and everybody here is a witness to that — the use of force against my country, not in order to prevent an illegal act but, on the contrary, to prevent the implementation of rules and rights deriving from international law and from an international treaty accepted by all members of the international community, with the exception — again, I note, the regrettable exception — of Turkey.

**Mr. Agathocleous** (Cyprus): I am speaking in exercise of the right of reply to the statement by the representative of Turkey.

The statement of the Turkish representative, as well as that of his Foreign Minister made in this forum two weeks ago as regards Cyprus, is a blend of distortion and grave omissions, a practice so consistently used by Turkey since the invasion of Cyprus in 1974.

It is a policy dictated by the vain hope that it may be possible to eclipse itself from the scene of the crime of invasion and occupation, a continued occupation of Cyprus, and to transform the whole problem into an inter-communal difference in Cyprus.

One would expect some semblance of respect for the truth, especially during such a solemn occasion as the fiftieth anniversary of the United Nations.

It is this very forum, as well as the Security Council, that has adopted dozens of resolutions addressed

to the international problem of Cyprus, demanding the end of the occupation and the violation of international law in Cyprus.

Specifically, these resolutions unfailingly call for respect for the independence, sovereignty and territorial integrity of Cyprus; the withdrawal of the occupation troops — 35,000 of them — from the occupied part of Cyprus, which the Secretary-General in his reports has described as the most militarized area in the world; the return of the refugees to their homes and lands in safety and respect for the human rights and fundamental freedoms of all Cypriots.

Turkey, demonstrating utter contempt for these resolutions, is still occupying 37 per cent of our land. What is more, it is increasing and modernizing its military presence on the island, has not allowed a single refugee to return to his or her home or lands, continues to violate the human rights of our people through the systematic uprooting of Greek Cypriots from their ancestral homes, and continues the influx of Turkish settlers from mainland Turkey with the aim of changing the demographic structure of Cyprus.

All these violations are well documented in a report of the European Commission of Human Rights — a report devastating for Turkey — as well as in numerous other United Nations documents. It is obvious to everyone why there was no reference at all, in either speech, to the United Nations resolutions that dictate the obligations of Turkey and underline the components of a solution to the Cyprus problem.

Here is the cardinal issue: what are the Turkish troops doing in Cyprus after 21 years, after the Security Council's demand that they withdraw, and despite the universal assertion, voiced in all international forums, that the present situation in Cyprus is unacceptable and anachronistic? What is unacceptable? It is the continued occupation of Cyprus.

Further, the Turkish representative has just stated that there is now in the world a general move towards and a general demand for the peaceful resolution of outstanding international issues. That is correct. I therefore hope that Turkey too will heed this universal demand, change its negative policy on Cyprus and make the necessary moves towards solution of the Cyprus problem. I can give every representative here a guarantee that that would be for the benefit of all the people of Cyprus, because all Cypriots are now suffering the results of invasion and occupation.

**Mr. Kim Chang Guk** (Democratic People's Republic of Korea): The statement of the South Korean representative once again exposed the shamelessness of the South Korean authorities.

First, dialogue is not a plaything. The South Korean authorities talked much of dialogue but never showed sincerity. They were interested only in utilizing dialogue for their political purposes.

Secondly, the South Korean representative quoted the Pope. South Korea is the only country that has a law prohibiting freedom. Having failed to realize their dream of using the nuclear issue to isolate and stifle the Democratic People's Republic of Korea, the South Korean authorities are now using the issue of human rights to slander our country.

The authorities of colonial South Korea, under the patronage of their suzerain State, have been hiding their acts of human-rights violation from the world, and now they are trying to mislead the world public, as if South Korea were a model of human-rights protection and democracy.

South Korea's national security law is the only medieval, draconian law in the world in that it criminalizes the freedoms of ideology, and personal contacts, the exchange of letters and telephone calls with the people in the North. How many innocent people in South Korea have had their rights trampled upon and been put to death under the national security law? It is a mockery that the South Korean authorities talk about freedom and human rights. So long as South Korea's national security law exists, there can be no North-South dialogue or reunification of the country.

**The President:** I call on the representative of Papua New Guinea for a second statement in exercise of the right of reply.

**Mr. Samana** (Papua New Guinea): Having heard again the French representative's voluminous comments in exercise of the right of reply, I wish to state further that this is not a debate on semantics: this is an issue of life and death for the people of the Pacific. We therefore reiterate that it is absolutely nonsensical and irrational, given the current international climate, for France continuously to offer baseless rationalizations in defence of its deplorable resumption of nuclear testing in the South Pacific.

France's actions directly threaten international peace and security and, more specifically, threaten the very survival and livelihood of the South Pacific people. The validity of any scientific study can only be proved, in the long term, in a transparent and fair manner. In principle — I repeat: in principle — the Governments and people of the South Pacific totally object to any nuclear testing in the region. The feelings and aspirations of the people and Governments of the South Pacific are shared globally. Nuclear testing serves no security interest in our region, except the promotion of an archaic policy of nuclear deterrence.

Even within metropolitan France there is already growing opposition from French citizens to President Chirac's policy. We again strongly urge the French Government to be more sensible and to act responsibly by abandoning its nuclear testing programmes as an indication of respect for regional and international opinion, including the opposition expressed by 71 per cent of its own citizens. Again we urge France to be sensible and reasonable for the defence of humanity.

**The President:** I now call on the representative of Sudan for a second statement in exercise of the right of reply.

**Mr. Mustafa** (Sudan) *(interpretation from Arabic)*: Once again we heard the representative of Eritrea trying to justify his position by making more unfounded accusations. He spoke of matters that have no relation to reality. His distortions and misconceptions, which have no basis, in fact, cannot distract attention from the facts as they exist on the ground.

The first fact is that Eritrea is in the grip of internal political and economic difficulties which the Eritrean Government should tackle, instead of levelling arbitrary accusations against us as this can only lead to the intensification of tension in the region — something that Sudan totally rejects.

Secondly, Sudan has reported the Eritrean excesses against it to the Security Council in two letters dated 26 June 1995 and 11 July 1995 wherein we drew attention to the Eritrean conduct, which contravenes all international conventions.

Thirdly, the fact that Eritrea's hosting of armed elements from the so-called Sudanese opposition and the fact it provides such elements with logistic and information facilities are not conducive to conferring upon the Eritrean Government any credibility with regard to its oft-repeated claim that its concern is to ensure the safety and stability of the region. To the contrary, these facts expose the aggressive stance taken by the Eritrean Government towards the Sudanese people who have nothing but high regard and brotherly feelings for the Eritrean people.

Fourthly, the representative of Eritrea cannot deny that Sudan continues to be the refuge for half the population of Eritrea or that Sudan shares with these Eritrean refugees of whom it takes care, all that its available resources allow it to share without any support from any quarter. As a matter of fact, it would be more to the point for the representative of Eritrea to think about this mass displacement of the Eritrean people as a result of the conduct of the Eritrean Government towards its own citizens.

Concerning the mechanism for the resolution of the conflict of which the Eritrean representative spoke, it must be stated that that mechanism has exceeded all the guidelines and regulations which were supposed to govern its work. It has done so by addressing a question that concerns two parties without inviting or allowing one of the parties concerned to take part as it should have in conformity with the Cairo Declaration on the basis of which the mechanism was set up.

That mechanism was set up with the aim of resolving a dispute but there has not been a dispute to resolve. The mechanism's task was not to fabricate a dispute. The decision referred to does not contain any condemnation of Sudan. Sudan has proved that it does not give shelter to anybody that has any connection with the assassination attempt and has emphasized that it will cooperate fully and surrender any person who takes shelter on its territory in accordance with the agreed Conventions.

The Eritrean representative may do well to take time to acquaint himself with the Sudanese Government's position on terrorism. May I recommend that he should refer in this respect to the intervention by our delegation in the Sixth Committee on 10 October 1995 wherein we condemned the attempt. We reiterate that condemnation here again.

Sudan hopes that Eritrea will desist from playing a dangerous part whose gravity it seems to be unaware of, will opt for coexisting peacefully with other countries in the region including Sudan, and will share in the development efforts that are being deployed at the local

and regional levels. We call upon Eritrea to opt for good-neighbourliness and peace as a way of life.

**Mr. Muthaura** (Kenya): I wish to speak in exercise of the right of reply to the remarks made this afternoon by the Foreign Minister of Rwanda in reference to a statement he attributed to Kenya's Head of State, His Excellency President Daniel arap Moi, in regard to the United Nations International Tribunal for Rwanda.

I do not know the source of the Minister's misinformation. May I assure the Assembly that Kenya will cooperate with the International Tribunal for Rwanda. Both His Excellency President Daniel arap Moi of Kenya and the Honourable Attorney-General of the Republic of Kenya have stated publicly that Kenya will not shield any persons suspected of involvement in the carrying out of the Rwandan genocide. The question of Kenya frustrating the efforts of the International Tribunal does not arise.

The Kenyan Government has, however, consistently held the view that the root causes of the Rwandese problem need to be addressed comprehensively. In that connection it is extremely important that the events preceding the genocide be thoroughly addressed. It is common knowledge that the genocide was triggered by the shooting down of the aeroplane which killed the Presidents of both Rwanda and Burundi in April 1994. Rwanda was already fighting an invasion which had caused widespread panic in that country. These events are extremely relevant to the trials to be held by the Tribunal.

Kenya's position is simply that of calling for justice for all, including refugees. There cannot be segmented justice. The Security Council is fully aware of Kenya's position. The problem raised by the Rwandese Minister is therefore far-fetched and does not arise as far as Kenya is concerned.

**The President** (*interpretation from French*): For a second statement in exercise of the right of reply, I now call on the representative of Zaire.

**Mr. Lukabu Khabouji N'Zaji** (Zaire) (*interpretation from French*): I should like briefly to thank the Permanent Representative of Burundi to the United Nations for the gratitude he expressed to Zaire and to its Head of State, President Mobutu Sese Seko, for the role it has been playing in the search for lasting solutions to the crises in the Great Lakes region.

I should also like to thank him for having read out the paragraph in which the country I represent was singled out. I think the Assembly has grasped that the allusion was clear.

Lastly, I should like to say to the representative of Burundi that the Government of Zaire received at Kinshasa one, if not two, very high-ranking emissaries who came with messages from Bujumbura urging the Government of Zaire to dismantle Radio Democracy. My authorities who received these two emissaries took exactly the same position as the one I set out before the Assembly. They indicated to the two emissaries that this radio station was on Burundi territory and they did not see how Zaire could contribute in any way to its dismantling.

Having said that, I would note only that the information that Zaire possesses, which is the same as that possessed by Burundi, has not been denied by the representative of Burundi. I wish to point out to the international community here that Zaire, which is very dedicated to the principle of non-interference in the domestic affairs of other States, could not undertake any action to help a friend dismantle a tool of hatred on its territory.

**The President** (*interpretation from French*): For a second statement in exercise of the right of reply, I call on the representative of Guinea-Bissau.

**Mr. Lopes da Rosa** (Guinea-Bissau) (*interpretation from French*): I will be brief — perhaps even too brief — because as you said, Mr. President, we are now on our second round. Guinea-Bissau did not want to participate in the first round, let alone in the second round. I am very sorry to take up the Assembly's time by speaking again, but unfortunately the delegation of Benin has obliged me to do so. I assure you, Sir, that our statement will be brief.

Our brothers from Benin are entitled to speak before the Assembly, but they must not disregard the truth and must avoid misleading delegations. Several arguments were put forward — even arguments with which we are all too familiar. For example, they said that Guinea-Bissau had lost in 1993 when Benin and Guinea-Bissau had submitted their candidatures. They also said that the statement by Guinea-Bissau had fallen below the acceptable level. They said other things, too. But we must not forget our manners. We have no intention of entering into a question that we feel it is not appropriate

to discuss. Nevertheless, one observation must be made, for, in terms of courtesy or intellectual probity, we certainly do not have the same standards as our brothers from Benin.

However, when the time comes, knowing all the facts, representatives will have an opportunity to make their choice. The delegation of Guinea-Bissau, for its part, is certain that factual truth and respect for the African Group's choice will prevail and will guide the Assembly's decision in due course.

**The President:** I now call on the representative of Turkey for a second statement in exercise of the right of reply.

**Mr. Tanç** (Turkey): I wish to reply to the representative of Greece. He mentioned that our reply to the remarks of his Foreign Minister was somewhat delayed, and I would like to say that that is a privilege afforded by the rules of procedure of the General Assembly. We did not intend to cause the Greek delegation any inconvenience. We did not see any reason for haste, because the points I raised are the same points that we have been raising for more than 30 years; hence, there was not really any need to rush to reply.

With regard to the question of the Aegean Sea, perhaps the issues are newer, but we see similarities between the issues. The problem we face is that we do not see that our voice is being heard by our neighbour, which was another reason not to be hasty. We hoped that with less excitement our statement would be taken seriously.

Another point that I take strong exception to is his remark that we are adding insult to injury. That is certainly not my delegation's intention. In fact, I do not think any impartial examination of our remarks would lead to such a conclusion. I would think that perhaps that remark was prepared in advance of this meeting and inadvertently stated here.

I would like to underline again that Turkey is not intending in any way to threaten its neighbour, Greece, with regard to the Aegean Sea question. To the contrary, it is the proposed action by Greece which is posing a threat to Turkey. Any country in Turkey's position would find it necessary to take steps for self-defence.

He referred to my country's being the sole country refraining from becoming a party to the Convention on the Law of the Sea. It is all too well known by now why Turkey has not signed that treaty. I have explained that in detail, and I do not want to take up the General Assembly's time again in elaborating on those points, but let me also remind the representative of Greece that there exists a fundamental principle of international law which dictates that treaties should be implemented in good faith. This principle is also enshrined in the United Nations Charter.

To illustrate my point, I would like to refer to a programme accepted by the present Greek Government labelled the "Single Hellenism Zone". According to that programme, this so-called Zone includes northern Epir, Macedonia, Thrace, the Aegean region of Turkey, the eastern Mediterranean and Cyprus. Indeed, Prime Minister Papandreou had already made a statement to that effect on 5 March 1993, while he was in the opposition. The Greek leader said,

> "Today I think the time is right to forge a common national strategy for this massive problem of Cyprus, which is part of the Hellenic world".

That is the root of the problem, both in Cyprus and the Aegean: they are Greek, part of the Hellenic world; Turkey has no part in the Aegean Sea, nor Turkish Cypriots in Cyprus. That is the problem that we face.

Another quotation worth recalling is the one made by the Greek European Affairs Minister, as quoted in the Athens News Agency Bulletin. He states that the Convention on the Law of the Sea is a weapon to be used in defence of his country. This weapon, as I mentioned before, is aimed at Turkey, and this is the threat that my country faces today.

As a last point, I would like to refer to the allegations we face regarding the Cyprus question. Again, the Greek delegation would like us to believe that the question originated in 1974. The Cyprus problem did not originate in 1974, as portrayed by Greece, but resulted from the Greek conspiracy and attempts from 1963 to 1974 to convert the bicommunal State into a Greek Cypriot one prior to annexing the island to Greece, which is the aim of enosis —

**The President:** I am sorry to interrupt, but your time is up. Please be so kind as to conclude your statement.

**Mr. Tanç** (Turkey): I will, then, refrain from bringing up several quotations from the leader of the

Greek Cypriots, Archbishop Makarios, but will cite just these sentences. In 1974, in this building, the Greek Cypriot leader said,

> "the invasion in Cyprus is continuing so long as there are Greek officers in Cyprus." *(S/PV.1780, para. 23)*

He also said,

> "It is clearly an invasion from outside... The so-called *coup* was the work of the Greek officers staffing and commanding the National Guard." *(ibid., para. 18)*

Those dramatic words still echo in this Hall. We wished to bring them to the Assembly's attention again.

**The President:** (*interpretation from French*): I now call on the representative of France for a second statement in exercise of the right of reply.

**Mr. Ladsous** (France) (*interpretation from French*): In his earlier statement the representative of Papua New Guinea used words and expressions that I believe went beyond his intentions. All of us here at the United Nations know what words mean, and I would like to note that to me his words seemed excessive, out of place and, in a word, unacceptable. He made unfounded, gratuitous assertions. I shall not follow his lead; I shall limit myself to saying that this was a regrettable incident.

I wish to recall, in short, that my Government's position is well known: we are concluding this series of tests so that we will be able to associate ourselves with the strictest option of a future test-ban treaty. I think that is what is important.

**Mr. Kayisire** (Rwanda): In exercising his right of reply, the representative of Kenya alluded to the statement made earlier by my Minister for Foreign Affairs, and he called for at least three clarifications.

He wanted to know the source of the accusation that President arap Moi had stated that he was not going to cooperate with the personnel of the International Tribunal and that anyone who went into Kenya to arrest criminals would be arrested.

The second point of his statement concerned the cause or the causes of the genocide. According to him, the genocide started with the downing of the airplane carrying Presidents Habyarimana and Ntaryamira. They died, along with a number of others, and starting from that time the genocide was organized.

The last element concerns the problem of justice. He calls for justice for all. I should like to make it clear that Rwanda is obliged to engage in good relations with Kenya. I will not dwell on this aspect, which is important but is well known. Our economy is largely dependent on Kenya and we cannot do without it. We had excellent relations with Kenya in the past and we intend always to have such relations.

At the present time we are doing everything possible to draw as close as possible to Kenya. Even at the outset, there was really nothing to set us against each other.

Now, regarding the facts, I shall answer the questions raised by the representative of Kenya.

The statements on which the Minister based his remarks were not made today or yesterday: they were made long ago. The Kenyan authorities, including the President of the Republic, have maintained very tense relations with my country for at least a year now. The proof is that they chose to protect the dignitaries of the former regime. That was quite natural, since those persons had a large number of investments in Kenya. I shall not enter into the details, for these statements can be found in the official and private press in Kenya. They are on cassettes that are circulating in the country, and they were also made on the radio. Hence, if the representative of Kenya really wants to know where these statements originated, he can come to us and we will give him all the proof he needs. For such proof exists. This is not a lie; we have no interest in lying about this matter.

Secondly, I would like categorically to refute, on behalf of my Government, the allegation that the genocide originated in the shooting down of the aircraft transporting President Habyarimana. The genocide had been planned and programmed for many years, long before 6 April 1994. At least two international commissions were dealing with this subject before that date, and they made it clear that on several occasions the plan had been tested in Rwanda. There was a wholesale assassination of Bagogive in the Gisenyi prefecture; people were assassinated in the Kigali prefecture and in Bugesera. A neutral international fact-finding committee established the facts.

I would refer the Minister also to the report of the Special Rapporteur for Rwanda, Mr. René Segui. It

contains an in-depth analysis of the causes of the genocide. Everyone in this Assembly is familiar with this analysis. It would therefore be intellectually dishonest to say that the genocide dates from 6 April. The unleashing of the large-scale genocide was ordered for 6 April — that is true — but tests had been taking place for a long time before that. There are at least two working documents of the two international fact-finding commissions that confirm this.

Indeed, I can reinforce this argument by pointing out that the statements of the principal ideologist of this genocide, Léon Mugesera, were made before 1994.

With regard to the causes, I would refer the Minister also to the important work now being carried out by the International Tribunal on Rwanda. People cannot be properly tried if there is no knowledge of the context and the way in which the crimes were committed. I think that there too he will find very valuable information.

With regard to his claim for justice for all, he was not clear on this subject. I can tell him that Rwanda abides strictly by the principles of a State based on the rule of law, and when we ask the international community to help us re-establish the judicial system in the country, the aim is to enable the International Tribunal to start functioning very soon. Our only concern is a thirst for justice for all, because we believe that one of the causes of genocide is the culture of impunity which prevailed for a long time in our country.

I do not want to engage in polemics with my Kenyan brother. I would just ask him to access and objectively analyse these sources of information. If he finds that he needs additional information, in a more relaxed setting, I would invite him to discuss this with us.

**The President:** I now call on the representative of Cyprus for a second statement in exercise of the right of reply.

**Mr. Agathocleous** (Cyprus): The representative of Turkey referred to a statement by the former President of Cyprus, Archbishop Makarios. He took that statement out of context in an effort to distort the truth. There is only one truth, and it is undeniable: Turkey invaded and occupied Cyprus in violation of every international norm and against the provisions of the Charter of the United Nations. Twenty-two years later, Turkey still occupies Cyprus.

The Treaty of Guarantee did not give Turkey the right to use military force in Cyprus, as this would contravene Article 2, paragraph 4, of the Charter of the United Nations, which prohibits the use of force for the solution of international problems.

Security Council resolution 365 (1974) calls for the withdrawal of Turkish troops from Cyprus. Security Council resolutions are binding on Member States. This resolution as well as other Security Council and General Assembly resolutions refute Turkey's pretext that it acted in accordance with the Treaty of Guarantee. Turkey has not guaranteed either the independence or the Constitution of Cyprus. Instead, by the invasion it tried to destroy the independence of Cyprus and its Constitution, and it continues not to recognize the Constitution of Cyprus.

**The President:** I now call on the representative of Greece for a second statement in explanation of vote.

**Mr. Zacharakis** (Greece): The representative of Turkey has tried to convince us that there was no need for haste in responding to the statement of the Foreign Minister of Greece. I agree. Indeed, there was no need for haste because, first, the Turkish representative had nothing new to say and, secondly, because after all, the lack of haste seems to represent a consistent policy by Turkey, as can be seen from the fact that Turkey demonstrates the same lack of haste when it comes to abiding by the principles of the Charter and relevant resolutions of the General Assembly and the Security Council.

**The President:** Since we have heard the last speaker in the general debate and in exercise of the right of reply, I shall now make a brief statement to conclude our general debate.

I should like to take this opportunity to sincerely express my deepest appreciation and gratitude to all the speakers who so kindly congratulated me on my election to the office of President of this Assembly.

In addition, I wish also to thank all delegations for their cooperation, which has made it possible to conclude the general debate successfully and ahead of time. For my part, I would like to reaffirm the pledge I made in my initial statement with regard to making myself fully available to work closely with all delegations to the best of my abilities, having uppermost in my mind the success of this most important, fiftieth session.

Last, but not least, I wish to thank the Secretariat, including the General Assembly staff, the conference officers and the interpreters for their outstanding work.

We have had the privilege and the honour of hearing statements by two Heads of State, one Vice-President, eight Prime Ministers, 19 Deputy Prime Ministers and Foreign Ministers, 126 Foreign Ministers and 16 Chairmen of delegations, who so eloquently put forward their countries' views on the current global situation and on the activities of our Organization. I have noticed that, on average, the duration of speeches has been 20 minutes. I have thus come to the conclusion that if the length of all speeches in the general debate could be limited to 20 minutes, we could hear at least 100 speakers in one week — this is, 10 meetings. This would result in a two-week general debate. I am sharing these thoughts with members because such a measure, which is envisaged in the rules of procedure of the Assembly — rule 72 — might be usefully discussed in the context of the revitalization the United Nations.

In the light of all the statements made, and in closing this general debate, I wish to refer to some of the major topics addressed by Member States.

The importance of strengthening preventive diplomacy, so often referred to in statements, and the widespread recognition of the need to guarantee the necessary military and financial conditions to carry out peace-keeping operations effectively were two crucial areas on which Member States concentrated in particular.

It is reassuring to have heard that Member States still wish to take concrete steps towards disarmament. The limitation and eventual abolition of weapons of mass destruction was singled out once again as a worthy goal. It is particularly encouraging to perceive that many Member States intend to limit the export of anti-personnel mines and other weapons with such indiscriminate effects. Economic and social development rightly occupied a central place in the majority of statements. The international community and Member States must focus on development. As the Secretary-General states in his timely and important Agenda for Development, and as is equally recognized by us all, only in this way will it be possible to consolidate peace.

I note with particular satisfaction that the activities of the United Nations received the full confidence of Member States. In fact, the debate clearly recognized that the United Nations is an indispensable instrument of dialogue and mutual understanding in our world.

At the same time, there is a clear awareness of the unique and critical moment which our Organization has reached. In a new world order of international relations, where dialogue and cooperation have, more than at any other time in the past, an opportunity to prevail, we must ensure that our Organization is well equipped and more effective to face this more hopeful stage of human history.

If we do now have the opportunity to contribute decisively and, to a large extent, shape the threshold of this new era, there is also the risk that the United Nations will, on the other hand, end up being shaped by the uncertainty and unpredictability which characterize our times. The recognition by Member States of the need to strengthen our Organization, as well as their commitment to the process of reform, tells me that we are aware of that risk. The clear momentum for reform is an opportunity that must not be lost.

In this respect, I noted that interest was focused on the enlargement of the Security Council and that a large number of statements recognized the need for equitable representation on that organ.

The financial situation of our Organization has been, as in previous years, a concern for Member States. This year, however, in the light of the acute financial crisis which the Organization is in the grip of, this subject has been identified as a major priority for the United Nations. This is understandable, expected and most advisable. I would like to appeal to delegations to continue to bring to the attention of their authorities this precarious situation and the urgent need to find a quick solution for it.

From now on, it is for the committees and the working groups to bear in mind the main ideas and recommendations which we have been honoured to hear during this general debate. It is their responsibility to consider them very carefully.

It would be very unfortunate, I have to say, if the high level of political will and commitment demonstrated in the general debate in favour of serious reform were to be lost and allowed to evaporate during the following months. The reform of the United Nations, as well as the resolution of the financial crisis, on which the future of this Organization depends, needs more than ever the support and good will of all Member States joined together in this common task.

May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 9?

*It was so decided.*

*The meeting rose at 7.40 p.m.*

United Nations

A/50/PV.30

# General Assembly

Fifiteth Session

*Official Records*

**30**th plenary meeting
Thursday, 12 October 1995, 10 a.m.
New York

*President*: Mr. Freitas do Amaral . . . . . (Portugal)

*The meeting was called to order at 10.35 a.m.*

**Tentative programme of work**

**The President**: Members will recall that the tentative programme of work for the month of October has been circulated in document A/INF/50/5. I should like to inform Members that item 41, entitled "Support by the United Nations system of the efforts of Governments to promote and consolidate new or restored democracies", instead of being considered on Tuesday, 31 October 1995, is now scheduled for consideration on Friday, 10 November 1995.

Additionally, I should like to announce the tentative programme of plenary meetings for the month of November.

On Wednesday, 1 November, in the morning, the Assembly will take up item 14, "Report of the International Atomic Energy Agency". On Thursday, 2 November, in the morning, the Assembly will consider item 27, "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba". On Monday, 6 November, the Assembly will consider item 40, "Building a peaceful and better world through sport and the Olympic ideal".

On Tuesday, 7 November, in the morning, the Assembly will take up item 21, "University for Peace"; item 49, "Report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991"; and item 162, "Universal Congress on the Panama Canal".

On Wednesday, 8 November, in the morning, the Assembly will take up sub-item (a) of agenda item 15, "Election of five non-permanent members of the Security Council".

On Friday, 10 November, the Assembly will begin consideration of item 33, "International assistance for the rehabilitation and reconstruction of Nicaragua: aftermath of the war and natural disasters", and following that it will consider item 41, "Support by the United Nations system of the efforts of Governments to promote and consolidate new or restored democracies".

On Monday, 13 November, in the morning, the Assembly will take up item 47, "Question of equitable representation on and increase in the membership of the Security Council and related matters".

On Monday, 20 November, under item 112 (b), "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms", the Assembly will hold a special commemorative meeting to mark the end of the United Nations Year for Tolerance.

On Tuesday, 21 November, the Assembly will consider item 152, "Review of the role of the Trusteeship Council".

95-86298 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one month of the date of the meeting*, to the Chief of the Verbatim Reporting Service, Room C-178. Corrections will be issued after the end of the session in a consolidated corrigendum.

On Monday, 27 November, in the morning, the Assembly will take up item 22, "Return or restitution of cultural property to the countries of origin".

On Wednesday, 29 November, in the afternoon, the Assembly will consider item 42, "Question of Palestine".

The lists of speakers for all the scheduled items is now open. Furthermore, I should like to remind representatives that the Pledging Conference for Development Activities will be held in the morning of Wednesday, 1 November, and of Thursday, 2 November. The Conference will be opened by the Secretary-General.

The announcement of voluntary contributions to the 1996 programmes of the United Nations Relief and Works Agency for Palestine Refugees in the Near East will take place on Thursday, 30 November, in the morning.

This tentative schedule which I have just announced will appear in the *Journal* and the verbatim record of the meeting. Members are aware that there are a number of items which have not yet been scheduled. I shall inform the Assembly as soon as appropriate dates for their consideration have been fixed. I shall also keep the Assembly informed of any changes in the announced schedule. The tentative programme of work of the Assembly for November will in due course be circulated in an addendum to document A/INF/50/5.

I should like to reiterate that I would hope to keep to that schedule as closely as possible, so that the Assembly may discharge its responsibilities in an orderly fashion.

In that context, I should like to remind members that draft resolutions involving expenditure require more lead time in order to allow the Advisory Committee on Administrative and Budgetary Questions and the Fifth Committee to review the programme budget implications before the Assembly takes action on such draft resolutions.

Bearing in mind also the fact that the financial constraints facing the Organization have resulted in stringent measures concerning Secretariat services, I would appeal to those representatives wishing to submit draft resolutions to do so sufficiently in advance for the reasons I have just mentioned and so that the membership has adequate time to examine them.

**Agenda item 153**

**Cooperation between the United Nations and the Economic Cooperation Organization: draft resolution (A/50/L.1)**

**The President**: I call on the representative of Turkmenistan to introduce the draft resolution contained in document A/50/L.1.

**Mrs. Ataeva** (Turkmenistan) *(interpretation from Russian)*: Mr. President, please allow me to begin my statement by extending to you on behalf of the member States of the Economic Cooperation Organization (ECO) our sincere congratulations on your election to the presidency of the fiftieth session of the General Assembly.

As representative of the current Chairman of the ECO Council of Ministers and Chairman of the Contact Group of ECO member States at the United Nations, it is my proud privilege to address the General Assembly on an agenda item which is of vital importance to us in the ECO region.

As representatives are well aware, the Economic Cooperation Organization is a major regional grouping devoted to the socioeconomic well-being of its 10 member States located in a region of special geo-strategic importance encompassing more than 7 million square kilometres and inhabited by nearly 300 million people. In this richly endowed region, the ECO is playing a pivotal role, not only in the revival and consolidation of the historic, cultural and economic links among our peoples, but also in providing access for the newly independent Republics of the former Soviet Union in Central Asia and the Caucasus to the rest of the world through the territories of Iran, Pakistan, Afghanistan and Turkey. These Republics are currently going through a critical phase of political and economic transformation and need the assistance and cooperation of international community, not only in the restructuring of their economic systems, but also in the consolidation of their political independence.

My own country, Turkmenistan, under the dynamic leadership of President Niyazov, has opted to pursue a policy of positive neutrality, which is enshrined in its Constitution. It is noteworthy that on 16 March 1995 the Majlis (Parliament) of Turkmenistan adopted a decree in which the people of Turkmenistan endorsed the principle of positive neutrality on the part of Turkmenistan as the

basis of its foreign policy in full accordance with the interests of the State, its prospects for development, the national, historical and geographical identity of Turkmenistan and the mentality of Turkmen people. This policy was welcomed by the Heads of State or Government of ECO member countries on the occasion of the Third ECO Summit Meeting held in Islamabad in March this year.

Since then, a number of other countries have expressed their support for Turkmenistan's status of positive neutrality, which we hope will receive formal recognition at the current session of the General Assembly. Meanwhile, Turkmenistan continues to play a pivotal role in promoting the ECO as a progressive and outward-looking organization ready to cooperate with every country and region in the world on the basis of mutual benefit. Turkmenistan will be hosting the next ECO summit meeting, in Ashkhabad in April 1996 — a striking manifestation of its commitment to the ECO's goals and objectives.

For its part, the ECO has come a long way in pursuit of its objectives since its expansion from a tripartite entity into a 10-member regional organization three years ago. It has adopted two comprehensive plans of action — the Quetta Plan of Action and the Istanbul Declaration, which determine our long-term perspectives and define sectoral priorities with concrete targets to be reached by the year 2000. At the heart of these action plans lies the development of a modern transport and communications infrastructure linking the member States with each other and with the outside world. A project-oriented outline plan adopted at Alma-Ata in October 1993 is currently being implemented at the national, bilateral and regional levels.

Early this year Turkmenistan hosted a meeting of the ECO Council of Ministers, in which several regional arrangements were finalized, paving the way for the signing of final documents on the establishment of important ECO institutions on the occasion of the Third ECO Summit Meeting, in Islamabad. These institutions include the ECO Trade and Development Bank, the ECO Reinsurance Company, the ECO Shipping Company, ECO Air, the ECO Cultural Institute and the ECO Science Foundation. In addition, to facilitate greater intraregional commercial interaction, two agreements — one on transit trade and the other on simplification of visa procedures for businessmen of ECO countries — were signed.

With this process in place, we are now entering the phase of implementation of our programmes. To achieve the best results, and for the sake of a coordinated pursuit of our objectives in harmony with global trends, we attach great importance to working closely with other regional and international organizations, particularly the United Nations and its agencies that are active in the field of social and economic development.

The United Nations and the Economic Cooperation Organization, working together on the basis of mutual cooperation, can greatly advance the realization of our common objectives in the ECO region. Substantive cooperation between the ECO and the United Nations has already begun. For example, several joint projects have been developed between the ECO and the Economic and Social Commission for Asia and the Pacific. Indeed, some of these have already been implemented. Likewise, we contemplate many joint activities with the United Nations Children's Fund, the United Nations Population Fund and the United Nations Development Programme. Details of these joint efforts of ECO and United Nations agencies can be found in the explanatory memorandum relating to the draft resolution being considered under this agenda item.

What we need at this stage is to develop a joint strategy for closer cooperation and coordination between agencies of the ECO and the United Nations with a view to coordinating activities and optimizing the opportunities offered by the vast human and material resources of the ECO region. Adoption of the draft resolution and inclusion of the question of cooperation between the United Nations and the Economic Cooperation Organization as a regular item on the agenda of General Assembly sessions would indeed be a step in the right direction and would establish a reliable mechanism for monitoring the progress in that cooperation in the years ahead.

To the best of my knowledge, the countries sponsoring this draft resolution believe that it will have no budgetary implications for the United Nations.

Finally, I should like, on behalf of the countries of the ECO, to thank His Excellency Mr. Boutros Boutros-Ghali, the Secretary-General, for his support and cooperation in promoting our common aims and economic development objectives in the ECO region. We hope that in our future joint action he will, likewise, take all the necessary measures to establish close liaison between the two organizations, as well as to determine new areas of collaboration, in keeping with the needs and resources of our region.

We wish the General Assembly every success in its deliberations on the occasion of its fiftieth anniversary.

**The President**: In accordance with General Assembly resolution 48/2 of 13 October 1993, I now call on the Secretary-General of the Economic Cooperation Organization.

**Mr. Ahmad** (Secretary-General of the Economic Cooperation Organization): I should like, at the outset, to extend to you, Sir, my sincere felicitations on your unanimous election to the presidency of the General Assembly at this historic fiftieth anniversary session.

I should like also to express our special thanks and appreciation to the Secretary-General, Mr. Boutros Boutros-Ghali, for his dedicated efforts to promote the aims and objectives of the United Nations and its cooperation with regional organizations, including the Economic Cooperation Organization (ECO), which I am privileged to be representing today in this forum.

The ECO is a purely economic organization seeking to promote multifaceted regional cooperation with a view to accelerating the socio-economic well-being of its member States. It comprises 10 States, including — besides Afghanistan, Iran, Pakistan and Turkey — six newly independent Republics of the former Soviet Union. These Republics are currently engaged in consolidating the fruits of their political and economic independence through market-oriented structural reforms and security-related mutual confidence-building measures. One of them — Turkmenistan — is even espousing a policy of positive neutrality. They surely need the full support of the international community for their endeavours — particularly in terms of liberal foreign investment and market-access opportunities.

The ECO, for its part, is giving these Republics a helping hand, not only by facilitating the smooth transition of their economies but also by providing them with infrastructural links with the rest of the world through the road, railway and shipping networks of Afghanistan, Iran, Pakistan and Turkey.

Within the first three years of its expansion in 1992, the ECO has embarked upon a comprehensive cooperation programme based on two important plans of action — the Quetta Plan of Action and the Istanbul Declaration, both representing a comprehensive blueprint of our socio-economic development strategy, with special focus on transport and communications, trade and investment and energy as priority areas.

To best accomplish its objectives, the Economic Cooperation Organization attaches the utmost importance to its cooperative relationship with the United Nations and its agencies, particularly those engaged in the socio-economic development activities of our region. Two years back, on the eve of the forty-eighth session of the General Assembly, the ECO acquired observer status with the United Nations. Since then, several major United Nations agencies have shown interest in ECO activities and are co-sponsoring some of its projects. These agencies include the Economic and Social Commission for Asia and the Pacific (ESCAP), the United Nations Children's Fund (UNICEF), the United Nations Population Fund (UNFPA), the United Nations Industrial Development Organization (UNIDO), the United Nations International Drug Control Programme (UNDCP) and the United Nations Development Programme (UNDP), with which the ECO has already established institutionalized cooperative relationships.

In view of the growing trend towards interregional cooperation, the ECO is also pursuing an annual consultative process with Asia's major subregional organizations — namely, the Association of South-East Asian Nations (ASEAN), the South Asian Association for Regional Cooperation (SAARC) and the South Pacific Forum. Similarly, contacts have also been established with the European Union, with both sides seeking to identify a mutually acceptable framework and possible areas of cooperation.

For us it is indeed heartening that the General Assembly is considering this important agenda item on cooperation between the Economic Cooperation Organization and the United Nations. We look forward to the unanimous adoption of draft resolution A/50/L.1, which envisages specific measures for strengthening cooperation between the United Nations and the Economic Cooperation Organization, including the establishment of a regular consultative and monitoring framework, and calls for a report on the subject to be submitted for the General Assembly's consideration at its fifty-first session.

In conclusion, we wish every success for this session, which, coinciding as it does with the fiftieth anniversary of the United Nations, must revive the hope and confidence of the international community in the

ideals of peace, development and social progress throughout the world.

**The President**: There are no other speakers on this item.

The Assembly will now take a decision on draft resolution A/50/L.1.

May I take it that the Assembly decides to adopt draft resolution A/50/L.1?

*Draft resolution A/50/L.1 was adopted* (resolution 50/1).

**The President**: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 153?

*It was so decided.*

**Agenda item 13**

**Report of the International Court of Justice (A/50/4)**

**The President**: The report of the International Court of Justice now before the Assembly (A/50/4) covers the period from 1 August 1994 to 31 July 1995.

May I take it that the General Assembly takes note of the report of the International Court of Justice?

*It was so decided.*

**The President**: I call on Mr. Mohammed Bedjaoui, President of the International Court of Justice.

**Mr. Bedjaoui** (President of the International Court of Justice) (*interpretation from French*): I am sure that Portugal, its wealth of intelligent citizens notwithstanding, was not long in doubt as to the choice of a politician to be put forward for election by the nations of the world to the office of President of the General Assembly. Beyond your qualifications, Mr. President, as Prime Minister, Minister or Head of a democratic party — posts that you have occupied or still occupy — I am sure it was your standing as an academic, intellectual and man of culture that first and foremost determined that choice.

The international community is honoured to welcome you — a man of political action, of course, but also a thinker and a humanist whose life has been marked by generous choices in the service of justice and progress — as steward of the loftiest Assembly in the world. I would also like to say how delighted the International Court of Justice was to learn that an eminent professor of public law had been placed at the head of the Assembly.

Moreover, how could the Court not rejoice in your election when, in an unprecedented gesture, in your very first statement as President on 19 September last, you made a point of placing the work of the United Nations under the banner of the primacy of international law and paying tribute to the Court as one of the principal organs of the United Nations, dedicated specifically to the promotion of respect for that branch of law that you have never stopped teaching to and inculcating in new generations? The Court cannot fail to express its gratitude, through me, when you have issued such a lofty appeal to all States to accept the jurisdiction of our Court.

You are presiding over the Assembly of the peoples of the United Nations at an exceptional moment in its existence: its admirable fiftieth anniversary. I am sure that you will lead the commemoration with all the wisdom and mastery that we expect. I offer you my warmest wishes for the complete success of this exalted task that is made to your measure.

Giving the floor to the President of the International Court of Justice when the Court's report is under consideration has become a tradition that the General Assembly has accepted with good grace for some years now. To me, this gesture seems to have symbolic value. In this year in which we are commemorating the fiftieth anniversary of the United Nations, I would like to lay particular emphasis upon the extremely special nature of this regular contact, an exemplary expression of the close collaboration that should unite the principal organs of the United Nations as they strive to attain the purposes of the Organization. However, it is also striking testimony to the interest that the General Assembly — and through it, the entire international community — takes in the activities of the Court. Accordingly, I am pleased to thank the General Assembly deeply for again being so good as to devote a few minutes of its precious time to listening to the President of the International Court of Justice.

The celebration of the fiftieth anniversary of the United Nations — and the fiftieth anniversary of the International Court of Justice in a few months' time — provides me with an opportunity to share with the

Assembly, and with each of the States represented here, some thoughts on the current role and on the future of the principal judicial organ that I have the honour to represent.

When confronted by the large number of conflicts in the world of today that fall outside the jurisdiction of the International Court of Justice, the general public is frequently led to wonder: exactly what is an international judge supposed to do?

To wonder about the role and the future of permanent international justice is to try to find a proper answer to that kind of question. It is to wonder how the "scales of justice" can operate and extend their influence when not backed up by a powerful "sword" — if I may transpose into the international sphere the familiar thought patterns of the municipal order which has accustomed us to the trilogy — so dear to Montesquieu — of legislative, executive and judicial powers. One is once again led to wonder whether, given the requirements of the municipal "model", one can really conceive, in the international order, of a judicial power in an international community whose real existence is a matter of some doubt in certain quarters and in which there is, moreover, neither an authentic legislature nor any real power of enforcement.

One could go on asking questions of this kind until one reached the point of paradox, such are the difficulties involved in resolving the mystery surrounding the future of international justice. Indeed, the International Court of Justice, as the principal judicial organ of the United Nations, is no more than one part of a whole, a mere cog — albeit an important cog — in a complex mechanism conceived in accordance with a set of precise specifications. One might properly be led to think that the future of that organ naturally depends upon the future of the United Nations. That is obviously a sensible line of argument but none the less it implies a simplification which has to be moderated in the light of the point I would now like to make. It would seem that the current situation of the International Court of Justice is characterized by a certain singularity — I would even say a certain paradox. This relates to the good fortune currently attending the Court at the very same time as the mother Organization as a whole is confronting considerable difficulties on a variety of fronts.

The world legislative power exists only in outline form. It is represented by this distinguished Assembly, which is strengthened by its composition representing as it does all the peoples of the United Nations, but which can only legislate by means of resolutions that are not, as a general rule, legally binding. As for the Security Council, which is constitutionally free from any such limitation, it may doubtless be compared to a quasi-world executive power but, as it has scarcely recovered from the paralysis to which it was long condemned by the cold war, it is currently experiencing new difficulties in maintaining and consolidating international peace and security. However, it is in this context of the laborious building of the proclaimed new world order that States, and even national public opinion, are turning to the Court in a singular but encouraging trend.

Now that we are engaged in a stock-taking exercise, the Court's stock seems at present to be in better shape than that of some others. It would seem that the judicial function may — on an international level as well — lay claim to a necessary measure of autonomy and independence. When the founding fathers of the 1945 Charter forged close structural links between the Court and the United Nations, they obviously intended that the Court should be fully integrated into the new system for the peaceful settlement of disputes that had just been devised, but they did not in any way wish to deprive the Court of the autonomy indispensable to the sound administration of justice. In that regard, they refrained from making any fundamental changes in the situation brought into being by their predecessors at the League of Nations with respect to the former Permanent Court.

It would however be unforgivably imprudent — if not totally disproportionate — to claim to be able to predict a separate future for the United Nations and for the Court, as their mutual and indissociable fate remains sealed by the Charter, that Magna Carta of mankind.

For the time being, and to be more cautious, my aim is to look briefly at the Court's current good fortune and to explore the reasons for it. I shall then consider the improvements that could well be made to a judicial institution that will soon be 50 years old, to enable it to meet the new and numerous challenges with which it is confronted.

As I have just said, the International Court of Justice has been thriving for the past few years. Never before has it been so much in demand, never before has it been so active. There seems to be every indication that that tendency will only grow stronger in the years to come.

Indeed, certain profound changes that have come about in the international community and, more

particularly, by the end of a world divided into two camps as a result of the cold war are still too recent to have been able to have their full positive effect upon international judicial settlement. This new period was ushered in by a momentous event, the fall of the Berlin Wall — on a memorable day in November 1989. However it does seem that on all sides, other walls which have been erected in the minds of some of the world's leaders and which previously constituted so many additional impediments to the work of the Court are now also beginning to fall -- to such an extent that the States parties to the 10 contentious cases now on the Court's general list are located on every continent.

The International Court of Justice is currently displaying unprecedented vitality. In line with the unusual number of cases of which it is seized, the Court has seen its jurisdiction steadily expand, both in terms of the number of declarations made and in terms of the compromissory clauses included in treaties — or in terms of the withdrawal of reservations to such clauses. Moreover, the Court's current vitality is not to be measured merely by the yardstick of the confidence currently placed in it by States; it must also be assessed in accordance with the way in which States comply with its decisions.

But what is the source of the Court's new vitality?

References have been made in turn, and with a greater or lesser degree of relevance, to the decisions reached by the Court in certain cases, to the end of communism, the greater trust placed in the Court by third world countries, and a more widespread psychological rallying to the applicable international law.

I must stress that the Court's success has not derived from the "transactional justice" or "compromise justice" which has sometimes been ascribed to it. It is of course true to say that, in certain cases, the seizing of the Court has been no more than a means of pressure exercised by one party upon another in a bid to lead it to a political settlement, seen as preferable to a judicial decision.

Under such circumstances, the Court, fully aware of its responsibilities as an integral part of the system of peaceful settlement of international disputes established under the Charter, has displayed judicial realism and has considered itself obligated to assist in bringing the parties closer together, while not at any time departing from its primary task of applying the law. However that in no way means that the Court hands down "judgments of Solomon". Far from it. It goes without saying that it has never tried to do anybody any favours; nor has it ever compromised the integrity of its judicial function or the principles governing its mission. Its strength, and doubtless its success, will have been that it knows how to do justice with full legal rectitude, with full intellectual honesty and in a spirit of total independence, but, for all that, without shutting itself away in an ivory tower or failing to take account of the facts of life.

The vitality of the Court can be explained. The International Court of Justice ultimately has the strengths of its weaknesses — or, if you prefer, the virtue of its principal vice. The international judicial function still bears the image of the international society whose disputes it is called upon to settle: it operates on a consensual basis. The success of the Court may well be due precisely to the fact that its role seems ultimately to be fairly well adapted to the concerns and the system of values predominating in the States to which it is open. Has not consensualism become, more than ever, a value in which to take refuge in a society of States that is still resistant to the advances of supranationalism?

Of course, States may undertake in advance to accept the compulsory jurisdiction of the Court, thus giving it what may be described as a free hand, just as they give a free hand to the Security Council when they accede to the Charter. However, such a comparison immediately requires one to relativize, in so far as the abandonment of sovereignty conceded in each case is not done under identical conditions, or with identical consequences. There can be said to be a far greater exercise of free will in a State's decision to accept the jurisdiction of the Court than in a decision to submit to the decisions of the Security Council.

Another partial reason for the present good fortune of the Court might be found in a wider context, that of the general development of international relations. It would appear to be a truth borne out by experience that legal settlement is more widely supported, and even more sought after, when the international atmosphere is less tense. The counterpart proof is provided by the fact that it was during the periods of extreme international tension in the cold war that the Court was bereft of cases and could not perform its function. Moreover, is it not true to say that tension *per se*, without any clearly defined object, generally prevented the emergence of specific legal disputes, which are the only ones appropriate for submission to the Court?

However, this argument must be treated with caution, for it is no secret that the disappearance of the bipolar international order has not resulted in the creation of a peaceful world, since the world of freedom which has succeeded it is also more fragmented and uncertain.

Be that as it may, if it is to guarantee its future, the Court needs new means to enable it to meet the new challenges with which it will be confronted in the coming years.

Before briefly outlining some of these means, let me make two introductory observations, which seem to me as self-evident as they are fundamental and which seem also to govern the future direction of the Court. The first is that, although the Charter brought about progress for permanent international jurisdiction, that progress was not as decisive in this field as it was, for example, in the political sphere. With the major changes that occurred on the world stage after the Second World War and the outlawing of the use of force, the overall profile of the political organs of the United Nations and the links and relations between these organs have been fundamentally reshaped and streamlined. On the other hand, the judicial organ, the International Court of Justice, has, barring a few details, virtually remained a replica or a continuation of the Permanent Court of International Justice. In other words, from the League of Nations to the United Nations, the political organs would appear to have matured more than the judicial organ, which, 73 years after its birth, remains essentially the same.

My second introductory observation concerns the new functions and powers that have been granted to the United Nations and to many other international organizations since 1945. It cannot be claimed today, in 1995, that the world Organization plays the same role, is vested with the same mission and has the same legal status as its predecessor in the 1920s. Still more, at a time when international organizations have more legal means at their disposal — which, admittedly, they do not always use — in order to become full players in international relations, the State, traditionally the exclusive subject of these international relations, is undergoing internal and international changes which affect this traditional role of solo player.

It is clear that these new situations create new needs and that the future of the International Court of Justice will be measured by its ability to win a status which is not simply a replica of the status of the former Permanent Court of International Justice. There can be no doubt that adjustments are necessary.

These adjustments must first of all be made to the contentious function of the Court. The Court's jurisdiction *ratione personae* has remained frozen, as it were, since 1922. The Court is open only to States. Today, when intergovernmental organizations have grown up, it is important to give them access to contentious procedure.

States, subjects traditionally described as primary or necessary components of the international legal order, are in reality no longer the only players in international relations or the only interlocutors where peace-keeping is concerned. International life shows us every single day that at this level greater account must be taken of other entities, notably the international organizations. Access to the Court's contentious procedure, currently reserved for States alone, may therefore now seem too narrow. Among the remedies found for these shortcomings has been the incorporation into certain treaties, with which members will be familiar, of *ad hoc* clauses laying down that, in the event of a dispute between the international organization and the States specified therein, that organization will request the Court for an advisory opinion, which the two parties agree will have a decisive or binding effect. The technique referred to as that of compulsory advisory opinions, whose very name underlines its singularity, is, however, no more than a stopgap which cannot be a substitute for full access by organizations with international legal personality to the contentious procedure of the Court.

On the other hand, it would not seem that, where the Court's jurisdiction *rationae materiae* in the context of contentious procedure is concerned, there are any measures to be taken with a view to increasing accession to the optional clause of compulsory jurisdiction. To date, 59 States have acceded to the clause; this number, compared with the total number of Member States of the Organization, represents a ratio of one third, which has not appreciably changed since 1945. I fear that this ratio cannot be significantly improved, unless, of course, there is a spectacular momentum in international relations. When President Mikhail Gorbachev called upon the five permanent member States of the Security Council to set an example by submitting their disputes to the International Court, this aroused great interest, which, regrettably, quickly waned. The five members held a number of meetings at the legal adviser level with a view to drawing up a list of subjects which the Court would be likely to entertain in the event of a dispute. But no agreement was reached.

This is, after all, the natural and inevitable consequence of the conception of international relations which still prevails today. States remain legitimately attached to the political and diplomatic freedom available to them to settle their disputes in line with their own interests and prevailing circumstances. All they want is to see all existing procedures relating to the peaceful settlement of disputes open to them. And this, after all, is what counts.

Moreover, since every case has its political aspects and its legal aspects, it is difficult *a priori* to ask States to draw a distinction, in general and definitive terms, between cases which it would be desirable to submit to the Court and those which it would be appropriate to settle by other peaceful means. It is the States which must choose. This is why it seems so rash to try and predict which categories of cases could be submitted to the Court in the future.

The desire for the International Court of Justice to be better known by all, so that it can be better utilized and play a greater role in the daily life of ministeries and international organizations, has often been expressed. To this end, some jurists have suggested that it should be seized of small cases, whose rapid settlement would enable it to become part of the mechanics of international relations in the everyday life of peoples. This is an interesting idea, but it is, in fact, an unrealistic one; States and international organizations cannot contemplate mobilizing the heavy and complex procedural apparatus of the International Court of Justice for small cases, nor expose themselves to expenses which would seem substantial for such modest issues.

Other jurists have contended, on the contrary, that it would rather tend to be cases of moderate importance which would, by nature, be suitable for submission to the Court, such as, for example, the existence, the scope or the limits of States' rights of jurisdiction, in particular where land borders or maritime delimitations are concerned.

In reality, all these approaches, however ingenious they may be, are not part of the political will of States, which remains the only objective determining factor of the Court's activity. Today, the Court is not seized of minor issues, nor is it seized only of disputes of moderate importance. On the contrary, it is seized of a series of vital issues ranging from the application of the Convention on the Prevention and Punishment of the Crime of Genocide to the lawfulness of the use of nuclear weapons, a question with which this Assembly is very familiar.

As regards the advisory jurisdiction of the Court, it seems that thought should also be given to widening its field of application *ratione personae*. The Secretariat, represented by the Secretary-General, is to date — and I have stated this on other occasions — the only principal organ of the United Nations not authorized to request an advisory opinion of the Court on any legal question related to its activity in the service of the Organization.

A broadening of the group of international organizations authorized to request opinions might also usefully be considered, admitting certain organizations that do not fall within the present definition in the Charter, but whose access to the advisory procedure would be desirable for various reasons. The authorization of access to this procedure might also be extended to include intergovernmental organizations with a more or less universal status, such as the World Trade Organization or the Organization for the Prohibition of Chemical Weapons, and regional intergovernmental organizations that work for the maintenance of peace.

Lastly, the question of the participation of non-governmental organizations in the Court's advisory procedure should be given serious study. Those organizations are today important bodies representing world public opinion. Many of them enjoy permanent consultative status with the principal organs of the United Nations. They may now have access to the Security Council or the General Assembly. But this is not the case of the Court.

In conclusion, the future of the International Court of Justice depends on many factors which, to a large extent, elude the control of the Court itself. These include: first, the emergence of certain categories of conflicts which are called internal but which have clear international repercussions, and which international law does not yet cover except in a very fragmentary fashion; secondly, internal and external changes in States which affect their traditional role as key players in international relations; thirdly, the emergence of international intergovernmental organizations on the world stage, including with respect to judicial settlement; fourthly, the growing place of non-governmental organizations, voicing the wishes of an international public opinion more concerned with and motivated by world affairs; and, last but not least, recognition of the essential role that the Court must play in sanctioning a form of international law governing a world and a society of law.

**The President** *(interpretation from French)*: I would like to tell the President of the International Court of Justice and all the members of the Assembly that I will do everything in my power to respond, in carrying out my duties, to the lofty and demanding portrait which he has presented of me.

**Mr. Lamamra** (Algeria) *(interpretation from French)*: The pleasure that any jurist or practitioner of international relations feels at learning of the activities of the International Court of Justice is, to my mind, for many reasons all the greater when the report of the Court is presented by President Mohammed Bedjaoui, who instils into it such faith, conviction and commitment, and delivers it with outstanding eloquence. The delegation of Algeria is very pleased to extend a warm welcome to the Assembly to the President of the International Court of Justice, to the distinguished judges accompanying him, and to the Registrar, Mr. Eduardo Valencia-Ospina. It appreciates the opportunity for the General Assembly to assess, year after year, the assertion of the Court's authority and the strengthening of its role, for the greater good of the international community as a whole.

Mr. Mohammed Bedjaoui, whose name, renown and work are intimately linked with the noble objective of strengthening the rule of law based on justice and equity, has shared with the Assembly his exemplary reflections, which will naturally find their proper place in the plans being developed by Member States with a view to launching the United Nations into the next century with the certainty of a future that is brighter than the tumultuous past 50 years of its existence.

When we think of the past, we remember with emotion all the jurists who never gave up hope of blazing a pathway for international law through the minefields of relations based on force and power politics. Among them, I wish to mention Judges Nicolaï Tarassov, Roberto Ago and José María Ruda, who died recently and who will always be remembered and honoured by the community of jurists for their erudition, conscience, honesty and open minds.

The recent election of Mrs. Rosalyn Higgins as a judge on the Court is a very hopeful sign that by welcoming this great advocate of the rights of peoples and of human rights, along with judges Vereshchetin and Ferrari Bravo, the Court will be able to tap its full potential.

It is a well-known fact that among the cold war's many, even damaging, effects, impeding friendship and harmony among nations, was the adverse effect it had on the promotion of international justice and the very perception long held by States of the capacity and limitations of the Court in terms of regulating international relations in a judicial capacity. It is true that certain terms used in the very Statute of the Court to describe a given source of law, as well as certain aberrations in case law, were enough to sow doubts as to the Court's readiness to pick up the deep pulsations of today's international society, even though advisory opinions and far-reaching rulings have proved full well that the International Court of Justice had, on many an occasion, been able to go beyond the political situation and to demonstrate its strict observance of the requirements of justice and law.

Today, when the international political situation opens up vast prospects for frequent recourse to the jurisdiction of the Court, anachronisms, conservative tendencies and all kinds of interests unfortunately prevent the total flourishing of an international judicial order binding on all, beginning with the most powerful among us.

But, along with the jurisdiction of the Court in contentious cases, a jurisdiction whose extension and expansion depend on individual sovereignties, there is enormous potential for turning to the Court for advice, but the principal competent United Nations organs have not always made full use of this. From this viewpoint, the discussions now under way with regard to the reform of the Security Council will not be sufficiently coherent or exhaustive unless and until they take fully into account the untapped and unexplored resources inherent in constitutional control by the International Court of Justice of the Council's acts. Besides, action by the Court may also prove to make a substantial contribution to a large-scale effort at preventive diplomacy.

On this fiftieth anniversary of the United Nations, all legitimate ambition as regards the strengthening of the fabric of international cooperation for peace and development or the strengthening of the system for collective security and the peaceful settlement of international disputes must involve the International Court of Justice. At the same time, the General Assembly must always be solicitous of this principal organ when it comes to preserving the dignity of eminent international judges and their staff and when human and material resources are required to enhance the efficacy of this institution and

to promote good and diligent administration of international justice.

**Mr. Yoogalingam** (Malaysia): My delegation would like to thank the President of the International Court of Justice for presenting the report of the Court for the period 1 August 1994 to 31 July 1995. In studying the report, my delegation notes that its composition and structure are similar to those of last year's report.

We congratulate the President of the International Court of Justice for his excellent exposé, in his introduction of the annual report, of the issues facing the Court. The international community is truly fortunate to have a jurist of such eminence presiding over the Court. My delegation also wishes to take this opportunity to express our sincere condolences to the families of the late Judges Nicolaï Tarassov and Roberto Ago, former Judge and President José María Ruda, and former Judge ad hoc, Mrs. Suzanne Bastid. Their meritorious service during their terms of office will always be remembered and appreciated. Similarly, we wish to express our congratulations to Sir Robert Jennings on his long, dedicated and exemplary service. To the newly elected judges, Vladlen Vereshchetin, Luigi Ferrari Bravo and Rosalyn Higgins, we extend our congratulations.

As the United Nations commemorates its fiftieth anniversary, it has become increasingly clear that the multilateral system needs to be reformed. This has been reflected in the statements made by our leaders in this Assembly in the last two weeks. In this context, there is an obvious need for a review of the role and composition of the International Court of Justice, given its fundamental importance as the principal judicial organ of the United Nations.

My delegation notes that there has been increasing recourse to the Court by Member States over the years. This is a positive sign and augurs well for the future of the Court. The International Court of Justice has an important role to play in the promotion of peace and harmony among the nations and peoples of the world. The processes provided for under the Statute of the International Court of Justice advance the rule and role of international law. However, much still remains to be done before full respect for international law is achieved.

While we have always expressed our confidence in the International Court of Justice, my delegation is of the belief that it has yet to realize its full potential. Article 96 of the Charter of the United Nations provides that the General Assembly or the Security Council may request the Court to give an advisory opinion on any legal question. We would like to see greater use made by the General Assembly and the Security Council of the Court as a source for advisory opinion. In addition, the General Assembly and the Security Council not only should utilize the Court as a source of interpretation of the relevant applicable law, but should also refer controversial decisions to the Court for review.

The Security Council was established as a principal organ of the United Nations. The International Court of Justice was established as another principal organ of the United Nations. There are undoubted linkages between the Security Council and the International Court of Justice. Both these organs, with their important tasks, should be representative of today's global community. As we continue with our efforts to reform and restructure the Security Council, it is equally pertinent to review the composition of the International Court of Justice.

For my delegation, the views expressed by some members that the rights, status and prerogatives of the permanent members of the Security Council cannot be altered are inconsistent with the provisions of the Charter. The fact that some of the permanent members of the Security Council should seek to assume similar rights in other organizations of the United Nations is even more unacceptable, considering that there are no provisions to this effect in the Charter.

It is vital that the role and composition of the International Court of Justice be carefully considered within the context of the review and reform of global institutions. We should benefit from the current collective desire to reform and revitalize these institutions, including the International Court of Justice. A revitalized International Court of Justice can play its role more effectively in the advancement of international law and justice.

**Mr. De La Pedraja** (Mexico) (*interpretation from Spanish*): My delegation expresses its thanks to the President of the International Court of Justice, Mr. Mohammed Bedjaoui, for his lucid presentation of the report of the Court. We are grateful for the high quality of his comments. They undoubtedly enrich the work of this session.

We heard with deep sorrow the news of the death of Judges Nikolaï Tarassov, Roberto Ago and José María Ruda, as well as that of Professor Suzanne Bastid. They

were outstanding jurists who contributed with talent and hard work to the cause of international law. We pay tribute to their memory.

The judges elected to fill the vacancies on the Court during the period covered by the report, Vladlen Vereshchetin, Luigi Ferrari Bravo and Rosalyn Higgins, confirm the excellence of the composition of our principal judicial organ. In particular, we express our satisfaction at the election of Rosalyn Higgins, the first woman who is a permanent member of the Court. We hope that the international community's objective of seeing a larger number of women in international judicial organs will make further headway in the future.

The presentation of the report of the International Court of Justice before the General Assembly is of vital importance. Indeed, in recent years Mexico has stressed the need for the members of the Assembly to reflect on its importance. This exercise gives Member States the opportunity of understanding the judicial work of the Court, and it gives the Court the opportunity of forging closer bonds of cooperation and communication with the Assembly.

My delegation would have appreciated having more time to study the report of the Court. We respectfully urge the Secretariat and the Court to ensure that in future the document will be distributed far enough in advance of its consideration here. We are certain that in this way the dialogue will become more useful and fruitful.

Respect for and due compliance with the norms of international law are and have been one of Mexico's main commitments. We are convinced that international coexistence based on respect for the fundamental norms of law and justice is the best guarantee of peace. Hence, in this and other forums we are promoting the codification and progressive development of international law, and we support all those activities that result in the strengthening of the International Court of Justice.

The number of cases now before the Court is undoubtedly encouraging. More and more States are considering the Court as a viable alternative means of resolving their disputes. At the same time, as has been pointed out in the past by the President of the Court, the increase in the number of cases should not be viewed too optimistically. We note with concern that sometimes the enthusiasm with which declarations of acceptance of the Court's jurisdiction are made turns into reluctance to accept that jurisdiction in practice.

The advisory proceedings are a dynamic and simple mechanism that allows the organs of the United Nations to benefit from the experience of a high-level institution and to contribute to the clarification and development of international law. Mexico emphasizes the importance of the advisory proceedings and urges those entities that are authorized to request opinions of the Court to make more systematic use of this mechanism. We particularly urge the Security Council to reflect on the advantages of this mechanism and to use it more frequently. We are convinced that this would be of benefit to the Council itself and to the international community as a whole.

At the same time, in touching on the subject of advisory opinions, I must point out that Mexico attaches particular importance to those currently being processed by the Court. In our view, the requests mentioned in chapter III of the report bear witness to the significant work that can be done by the Court through its advisory opinions. We believe that the Court now has an invaluable opportunity to support other organs of the United Nations in the fulfilment of their functions and to contribute to defining the norms of international law. We are convinced that the Court will avail itself of this opportunity.

**Mr. Villagran Kramer** (Guatemala) (*interpretation from Spanish*): First of all, we should like to congratulate you, Mr. President, on your election. We also wish to thank the President of the International Court of Justice both for the Court's report and for the thoughts he kindly shared with us on the extremely sensitive and important work of that lofty forum.

We also wish to express our sorrow at the death of three very distinguished judges: Judge Tarassov, Judge Ago and the Latin American Judge Ruda.

The report submitted to us not only covers the work of the Court itself but also coincides with the fiftieth anniversary of the United Nations and of that important tribunal. Although the Court will celebrate its anniversary in April 1996, since it was established in 1946, it is logical at this time that we consider the Court's current report in the context of the fiftieth anniversary of that institution.

We are very satisfied with the way the report deals with the subject of the jurisdiction of the International Court of Justice. At the same time, it gives our delegation a great deal of food for thought. On the one hand, 59 States have accepted the Court's jurisdiction

under an optional clause; on the other, there is a movement afoot to restrict the scope of acceptance of the Court's jurisdiction through the method of making reservations when jurisdiction is accepted. While we are delighted that a large number of States are accepting jurisdiction through this optional modality, we are also concerned that the tendency to resort to the unilateral act of acceptance of jurisdiction is motivated by a desire to set conditions on appearances before the Court or to raise reservations that ultimately restrict its jurisdiction. In any case, this is a subject which my delegation believes should be discussed and studied, either in the Sixth Committee or in a working group that is undoubtedly to be established on the matter.

There is yet another element of jurisdiction that offers us a strong option which is being used with increasing frequency and which strengthens the role of the Court. When international treaties are signed between States, this option allows them to bring disagreements over the implementation and interpretation of these treaties before the Court. This option demonstrated its soundness precisely in the case of two Central American countries that were involved in 1988 in a dispute over the implementation of the so-called Bogotá Pact and that were able to resolve a jurisdictional problem in an exemplary manner.

Another comment we wish to make concerns the Court's current workload, which shows us that it is possible for the work of international tribunals to be diversified. For example, in the future States will certainly wish cases of maritime delimitation to be considered within the framework of the International Tribunal for the Law of the Sea. Furthermore, we feel that international criminal cases would undoubtedly be dealt with by an international criminal tribunal, if the Assembly decides to establish such a tribunal. This obviously would restrict the International Court of Justice's sphere of action, and we could then envisage the idea of a counterpart. Such a counterpart has been referred to this morning in the context of the need for constitutional control over the activities of some of the organs of the United Nations. I should like briefly to refer to this subject.

The period when we are considering an expansion of the Security Council's work and membership and are all expressing our views on the appropriateness of such an expansion is undoubtedly the time to reflect on whether or not we should give the Court the power to monitor the legality of the actions of the Council and the Assembly. This issue has been raised this morning. Our delegation acknowledges and takes note of the concept of constitutional control and firmly associates itself with the comments made on that subject.

In conclusion, I should like to point out that the future of the Court, which is so strongly linked to the future of the United Nations, must be viewed in the context of a changing world that is presenting us with new realities. The first of these realities is that the membership of the United Nations has increased. It has increased to the extent that we might ask whether it would be appropriate to increase the number of judges on the Court. My delegation does not have a position on this subject but it is prepared to consider whether, in the light of the fact that there are now 185 Member States, the number of judges — 15 — provided for the Permanent Court of Justice from 1922 to 1945 should be increased.

Furthermore, we are sympathetic to and favour the possibility of giving international organizations access to the Court and of enabling them to initiate procedures. Similarly, we believe that it would be prudent and appropriate for the Secretary-General of our Organization to have the power to request advisory opinions on very specific cases, and the nature of such cases would have to be established.

Lastly, the new dichotomy in international relations is obvious: international relations and transnational relations. We know that, in the context of international relations, States and international organizations are intensely involved with one another. We all work in those circles. But we also know that we are players and participants in a transnational arena. State enterprises, private corporations and organizations established to promote economic activity are growing and intensifying their work to such an extent that we may eventually have to consider the possibility of their being allowed to accede to the Court or to other mechanisms to be established.

Finally, we wish to thank the President of the International Court of Justice for having shared with us his thoughts, which are born of his judicial wisdom and experience as a judge and, above all, as an eminent jurist. You, Mr. President, are another such jurist.

**Mr. Muntasser** (Libyan Arab Jamahiriya) *(interpretation from Arabic)*: I am pleased to associate myself with those who preceded me in welcoming Mr. Mohammed Bedjaoui, the President of the International Court of Justice and his fellow judges. I am

also delighted to congratulate him on his presentation of the Court's report.

My country has had recourse more than once to the International Court of Justice, the haven to which countries go in search of justice under the rules of international legality. I am pleased to state that the Court's judgments are received with full respect, whether or not they are in our favour. My country has consistently implemented them fully and without delay. It is sufficient to refer to the last ruling on the border dispute between Chad and my country, which we applied without delay, as attested to by the statement of the Secretary-General.

My country hastened to the International Court of Justice and presented to it the so-called Lockerbie case, as we hoped that the provisions of the Charter and of the Montreal Convention in respect of civil aviation cases would be applied.

The matter is still under consideration by the Court. This is a purely legal case, which some parties have transformed into a political issue and have presented it as such to the Security Council. Economic and political sanctions have been imposed on my country, as a result of which the Libyan people as well as the neighbouring peoples continue to suffer.

As a small developing State, we look up to the International Court of Justice, as represented by its President and judges, and we attach great hopes to it. We trust that it will emphasize the rule of law and thereby put paid to the ambitions of certain circles to impose the law of force, a tendency which, regrettably, became noticeable after the end of the cold war in using the Security Council as a tool to impose such hegemony.

**The President:** We have now heard the last speaker on this item for this meeting. May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 13?

*It was so decided.*

**Agenda item 155**

**Observer status for the Central American Integration System in the General Assembly: draft resolution (A/50/L.2)**

**The President:** I call on the representative of El Salvador to introduce the draft resolution contained in document A/50/L.2.

**Mr. Castaneda-Cornejo** (El Salvador) *(interpretation from Spanish):* On behalf of the Central American countries, Costa Rica, Guatemala, Honduras, Nicaragua, Panama and El Salvador, I have the honour to make this statement by way of an introduction to the draft resolution on agenda item 155, entitled "Observer status for the Central American Integration System in the General Assembly".

In 1987, when our Governments decided to take up the historic challenge of achieving a political solution to the Central American crisis through the peace process adopted in Esquipulas II, they also recognized that peace and development were inseparable and that the consolidation of democracy presupposed the establishment of a system of well-being and economic and social justice, which is indispensable in helping to overcome the deep-rooted causes of that conflict.

The fulfilment of the commitments contained in Esquipulas II led to progress in the process of peacemaking and democratization, thus creating space for the analysis, negotiation and agreement of measures and mechanisms to be adopted for the coordination, consultation and follow-up of the commitments adopted by the Central American Presidents at the summit meetings, and particularly as regards national and regional efforts to meet the priority challenges of a political, economic, social, environmental and security-related nature. Indeed, the Declaration of Antigua, Guatemala, of 12 June 1990 reaffirmed their statement that "we have Central American paths to peace and development".

Accordingly, as of 1990, the Central American Governments in the process of strengthening peace and democracy saw the need to examine the restructuring, strengthening and reactivation of regional economic integration, and the need to make this a means to promote development objectives and to readapt and improve Central America's position as part of its efforts to align itself with the new international environment. All this culminated in the signing of the Protocol of Tegucigalpa to the Charter of the Organization of Central American States on 13 December 1991, which established the Central American Integration System. The System began to operate on 1 February 1993.

The Central American Integration System is a renewed and dynamic mechanism responsible for promoting not the sectoral, economic or commercial integration of the past, but rather a global process, which encompasses the political, economic, social, cultural and environmental spheres, ensuring effective coordination among the organs, agencies and institutions of the Integration System. It guarantees sustainable development, in balance and harmony, to facilitate the attainment of the vital objectives established in the Framework Treaty creating the system to turn Central America

> "into a region of peace, freedom, democracy and development" *(A/49/580, annex I, para. 51 (a))*

on the firm basis of respect for and protection and promotion of the human rights of Central Americans. This, in the final analysis, can contribute to regional unity in response to the traditional aspirations of our peoples.

It is essential to emphasize that the promotion and implementation of the new integral development strategy in Central America at the national and regional levels should take shape through the Alliance for Sustainable Development, in which priorities are set in the areas that I have just mentioned, in accordance with presidential decisions. This is based on the support for the Central American Integration System, through close cooperation between its General Secretariat and the technical secretariats of the regional subsystems and entities. Further information on this development strategy and on the Central American Integration System can be found in documents A/49/580 of 27 October 1994 and A/50/146 of 20 July 1995.

The relevance of regional integration in its multidimensional design and in the framework of respect for pluralism and ethnic diversity was reaffirmed, in the Declaration of San Salvador II, at the Central American Summit Conference held in El Salvador in March this year in response to the challenges resulting from recent regional and global changes caused by the globalization of production, new computer-based technologies and new organizational methods. That meeting made headway in the process through the adoption of the Treaty on Central American Social Integration, which established within the Central American Integration System the legal, institutional and operational framework to promote this objective. This, in turn, reflects the commitment of Central American Governments to making every effort to improve the standard of living of our peoples.

Bearing in mind the new development strategy and the role assigned to the Central American Integration System, our Presidents have attached prime importance to strengthening the System as an institution and its participation and approach at the national, regional and international levels, thus enabling it to fulfil its role efficiently.

It is in this context that the Central American countries took the initiative to request the inclusion of item 155 — the item that we are now considering — on the General Assembly's agenda. The draft resolution under this item is entitled "Observer status for the Central American Integration System" and is sponsored by countries from different regional groups. At this time I wish to inform the Assembly that to the list of sponsors contained in document A/50/L.2 the following countries have been added: Algeria, Barbados, Canada, Cuba, Cyprus, Greece, Guyana, Iceland, Japan, the Marshall Islands, Poland, the Russian Federation, Sweden and Trinidad and Tobago.

The draft resolution, in its preambular part, refers to the Tegucigalpa Protocol — which has been registered in the United Nations Secretariat — through which purposes, principles and institutional structure in Central America have been modified by the establishment of the Central American Integration System. It also points out that one of the basic principles of the System is respect for the purposes and principles of the Charter of the United Nations.

In the operative part of the draft resolution the General Assembly decides to invite the Central American Integration System to participate in the sessions and the work of the General Assembly in the capacity of observer, and it requests the Secretary-General to take the necessary action to implement the resolution.

Convinced that the granting of observer status to the Central American Integration System will facilitate attainment of the primary objectives of Central America, we have no doubt that, with the complete support of Member States, the draft resolution will be adopted by consensus.

I should like to conclude by quoting from a decision adopted by the Central American Presidents at their last special session, which was held in Costa del Sol, El Salvador, on 5 October this year:

> "We reaffirm our desire that observer status at the United Nations be granted to the Central American Integration System (SICA), and we are grateful for the many expressions of support for this desire by State Members of the United Nations. At the same time, we urge the international community as a whole to provide its valuable support for putting this initiative into effect"

and for the achievement of the objectives and aspirations of the Central American peoples.

**Mr. Dumitriu** (Romania) (*interpretation from Spanish*): Romania is among the sponsors of draft resolution A/50/L.2, which requests that observer status at the General Assembly be granted to the Central American Integration System.

My delegation has many reasons for supporting the draft resolution. We should like to underscore just two of these.

First, we believe that the efforts of the Central American countries to adapt to a new regional reality — in other words, a Central America that is more orderly and democratic — deserve our support. The determination of these countries to broaden and strengthen the region's participation in the international sphere is also commendable. Not too long ago, when we referred to this region we talked about wars, conflicts and peace-keeping operations. Fortunately, now, as is emphasized in the explanatory memorandum related to document A/50/146, what we are talking about is the quest for integral well-being and sustainable development for Central Americans — making Central America a region of peace, freedom, democracy and development. This is a change of profound significance, which we should all commend.

Secondly, my delegation sincerely believes in the virtues of integration. Romania itself is seeking full integration into European economic, political and security structures. For this reason, Romania sympathizes deeply with the integration efforts of Central American and other countries.

In conclusion, my delegation takes great pleasure in supporting the draft resolution now under the General Assembly's consideration and hopes that it will be adopted by consensus.

**Mr. Laing** (Belize): The delegation of Belize is honoured to be a sponsor of draft resolution A/50/L.2. The Government of Belize, a country in the very heart of Central America, has observed the recent evolution of the Central American integration process with increasing satisfaction. In an era of convergence, it is doubly gratifying to reflect that in this effort of integration those States of Central America which are members of this Integration System are merely continuing a distinguished tradition of close, organized cooperation now nearly 200 years old. We applaud our neighbours for continuing to lead the world in this matter.

The Government of Belize has had the signal honour of regularly cooperating with the member States and the institutions of this Integration System. In particular, I wish to advert to our participation in the Alliance for Sustainable Development and the Alliance for Social Development. We have been particularly gratified by the fact that the activities within that framework now embrace the cultural, social and political spheres. Only by integrated action can there be genuine, harmonious and balanced development of peoples, individuals and member States. Belize's participation in these activities reflects the wisdom of the parties to the treaty viewing the region as an organic whole in which historically diverse cultures can make a dignified contribution. We are grateful that Belize's participation now transcends its being a passive recipient of internationally displaced persons from the rest of Central America, who are now over 20 per cent of our population.

The delegation of Belize fully agrees that the cooperation and integration to which this draft resolution adverts will most probably conduce to the furtherance of regional peace and reconciliation for which we all yearn.

My delegation fully supports the request for the deepening of cooperation with the United Nations through the according of observer status to the institution. Of course, such details as the applicability of Chapter VIII of the Charter, referred to in the explanatory memorandum, will bear further examination. But in general, my delegation fully supports the text of this important draft resolution and requests that it be adopted by consensus.

**The President:** We have heard the last speaker on this item.

The Assembly will now take a decision on draft resolution A/50/L.2.

May I take it that the Assembly decides to adopt draft resolution A/50/L.2?

*Draft resolution A/50/L.2 was adopted* (resolution 50/2).

**The President:** In accordance with the resolution just adopted, I now call on the Secretary-General of the Central American Integration System, His Excellency Mr. Roberto Herrera Cáceres.

**Mr. Herrera Cáceres** (Secretary-General, Central American Integration System) (*interpretation from Spanish*): It is an honour for me, as a Central American, to reiterate the congratulations expressed to you, Sir, by the representatives of Central American States on your rightful election to the presidency of the Assembly. Your presence ensures that it will be wisely guided.

As Secretary-General of the Central American Integration System (SICA), I wish also to express our deep appreciation for the decision to invite the Central American Integration System to participate, as an observer, in the work of the General Assembly at this session.

The granting of observer status at the United Nations is very significant, as it is a manifestation of the ever greater understanding in the United Nations of the fundamental role of subregional organizations, such as the Central American Integration System, that have been recognized and followed by the General Assembly itself, as can be seen in resolutions 48/161 of 1993 and 49/137 of 1994, entitled "The situation in Central America: procedures for the establishment of a firm and lasting peace and progress in fashioning a region of peace, freedom, democracy and development".

In those resolutions it is recognized that the Central American Integration System

> "constitutes the institutional framework for subregional integration through which integrated development can be promoted in an effective, orderly and coherent manner". *(resolutions 48/161 and 49/137, third preambular paragraph)*

In addition, the General Assembly stresses

> "the importance of honouring the commitments to accelerate the establishment of a new model of regional security in Central America as established in the Tegucigalpa Protocol of 13 December 1991, which established the Central American Integration System (SICA)". *(resolution 48/161, ninth preambular paragraph)*

In its earlier resolutions the General Assembly also highlights

> "the functioning of the Central American Integration System since 1 February 1993 and the registry of the Tegucigalpa Protocol with the United Nations Secretariat, expresses its full support for the efforts made by Central Americans, under the political leadership of their Presidents, to stimulate and broaden the integration process in the context of the Central American Integration System, and calls on Member States and international organizations to provide effective cooperation to Central America so that it can steadily promote and strengthen subregional integration in order to make it an effective mechanism for achieving sustainable development". *(resolution 49/137, para. 5)*

In keeping with this appeal, the United Nations has now fraternally embraced us, bearing witness to the great ecumenical interdependence characteristic of the present day. It has done this by granting us observer status on this day which coincides with the celebration of Hispanic Day and, in particular, on the day on which we Central Americans are celebrating the first anniversary of the signing, at the meeting of Central American Presidents and the Prime Minister of Belize, of the Alliance for the Sustainable Development of Central America, which constitutes the strategy for the integral development of the Central American isthmus.

On this day we Central Americans are also celebrating the first anniversary of the entry into force of our Central American Court of Justice, which is the principal judicial organ of the Central American Integration System (SICA), entrusted with ensuring respect for the law in the interpretation and application of the Tegucigalpa Protocol, the Alliance for the Sustainable Development of Central America and of other instruments and acts that complement them and stem from them. This makes it clear that the Central American isthmus is advancing steadily towards the perfecting of a Central American community of law.

The Central American Integration System, in addition to working towards the integral development of the isthmus in the economic, social, cultural, political and ecological spheres, and guided by its regional

development strategy, is also working to conclude a treaty of regional democratic security based on the strengthening of civil authority; on the promotion of sustainable development; on the protection of the environment; on the eradication of extreme poverty and of violence, corruption, terrorism, drug trafficking and the traffic in arms; on a reasonable balance of forces; and on confidence-building measures.

This new model of Central American democratic security also includes a regional plan for disaster reduction and an institutional force for Central American solidarity, whose task it is to coordinate the capacities and the resources of the Central American States with those of SICA in order to combat natural threats and disasters. With all these arrangements, the Central American people will be working with greater confidence and resolve to achieve sustainable development, in the knowledge that there exists the political will, the legal system and the action-oriented mechanisms whose progressive implementation will protect them from the military and non-military dangers and risks that could jeopardize their lasting development.

The broad-ranging and open design of the Central American Integration System reflects the importance we attach to effective give-and-take with other regional systems, with the inter-American system and with the United Nations system, in order to promote actions and interactions of mutual advantage that can enable the organizations and their member States to benefit from the best experiences and from the progress of mankind.

In this context, the progress and democratization of organizations and of the international order have as a common denominator humanistic criteria and the criteria of solidarity and the promotion of equal opportunities for their societies to enjoy in a just and fair fashion the fruits of the economy, of trade, of information and training, of science and technology — in a word, of development, regardless of the part of the world where these factors are being strengthened. Only in this way will it be possible for us to move from a world divided for all to a world shared by all.

The Central American Integration System and the Organization of American States (OAS) began their relations of international cooperation in 1994. The Secretaries-General of the two organizations have concluded a cooperation agreement that will make it easier to exploit together the possibilities for mutual support with a view to integral development.

The General Assembly of the OAS has requested that we effectively coordinate American regional action with Central American subregional action and we, in SICA, are prepared to coordinate our work in the most effective way possible.

For these and other reasons, the granting of observer status requires all the organs and institutions of the Central American Integration System to offer all our experience as a juridical and political organization of the Central American isthmus to this prestigious universal Organization and to its Member States. At the same time, it requires us to avail ourselves of the wealth of experience of the United Nations, which we also hope to apply in our daily work through efficient and harmonious coordination that will increasingly make possible the best use of the efforts and the resources of the member States of our respective organizations.

**The President:** May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 155?

*It was so decided.*

*The meeting rose at 12.45 p.m.*

United Nations A/50/PV.31

# General Assembly

Official Records

Fiftieth Session

31st plenary meeting
Monday, 16 October 1995, 10.30 a.m.
New York

*President*: Mr. Freitas do Amaral ..... (Portugal)

*The meeting was called to order at 10.45 a.m.*

**Agenda item 120** *(continued)*

**Scale of assessments for the apportionment of the expenses of the United Nations (A/50/444/Add.4)**

**The President:** In a letter contained in document A/50/444/Add.4, the Secretary-General informs me that, since the issuance of his communications dated 19 and 22 September and 2 and 4 October 1995, the Gambia has made the necessary payment to reduce its arrears below the amount specified in Article 19 of the Charter.

May I take it that the General Assembly duly takes note of this information?

*It was so decided.*

**Agenda item 157**

**Cooperation between the United Nations and the Agency for Cultural and Technical Cooperation**

**Draft resolution A/50/L.4**

**The President**: I call on the representative of France to introduce draft resolution A/50/L.4.

**Mr. Dejammet** (France) (*interpretation from French*): I am honoured, as Chairman of the francophone Group at the United Nations, to introduce draft resolution A/50/L.4. The draft resolution, which is particularly dear to the hearts of all the members of the francophone family, relates to cooperation between the United Nations and the Agency for Cultural and Technical Cooperation.

The Agency is the cornerstone of the institutional edifice of the francophone movement. It is composed of 44 countries from the five continents, representing 400 million human beings, in Europe, sub-Saharan Africa, Asia, the Pacific, the Americas, the Caribbean, the Indian Ocean, the Maghreb and the Near East, that share, to varying degrees, use of the French language.

But, above and beyond the use of the French language, the francophone peoples share a common culture, marked by the diversity of their roots, but always based on the principles of tolerance and respect for the individual.

More than a regional organization or a community of interests, the Agency for Cultural and Technical Cooperation, therefore, shares one basic feature with the United Nations: affirmation of unity and common membership, with respect for plurality. The Agency represents, in effect, a group of countries that draw on their will to act together with respect for others and their attachment to the values of dialogue, complementarity and solidarity. That was how the founding fathers of the francophone movement — the eminent Heads of State, Presidents Léopold Sédar Senghor of Senegal, Hamani Diori of Niger and Habib Bourguiba of Tunisia — saw in the 1970s the future of the francophone community. And

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it is in this spirit that this community strives today, alongside the United Nations and other organizations, to make its contribution to world peace and development.

Allow me briefly to remind the Assembly of the nature of the Agency for Cultural and Technical Cooperation. A unique, intergovernmental institution for francophone countries, it was founded in Niamey in 1970, charged with laying the foundation for cooperation and solidarity between all francophone countries. In addition to being the major actor in multilateral francophone cooperation, the Agency has also, since the Chaillot Summit in 1991, taken on the role of secretariat for all the francophone movement's institutions. Employing today more than 2,500 people, the Agency has a budget of approximately $100 million. It has an office at United Nations Headquarters in New York.

The Agency has many recent achievements to its credit; I shall mention just a few. In the cultural area, the Agency has provided outstanding support to the intellectual output of countries of the South. Through the television channel TV5 Afrique, the Agency has contributed to the development of francophone television on a world scale. Through its fund to support audiovisual productions by countries of the South, the Agency significantly assists the creative talents of that part of the world.

The Agency for Cultural and Technical Cooperation has also had many successes in technical cooperation, responding to the expectations of the countries of the South. In particular, the Agency has developed a vast network of service centres for the circulation of technical and professional information. Likewise, some 3,500 trainees received support from the Agency to follow training courses in 1992-1993.

In recent years the Agency has developed its support programmes for democratization; its participation is assured in monitoring elections, establishing consciousness-raising and training programmes in respect to human rights and supporting parliamentary and judicial institutions. These activities, particularly desired by many countries, now make the Agency for Cultural and Technical Cooperation a leading institution.

Strengthening cooperation between the United Nations and the Agency is now seen by both sides to be a necessity. This is above all true of the United Nations, which in recent years has constantly affirmed its desire for coordination with international actors outside the system and its desire to strengthen its work of coordination. For their part, the francophone States have voiced at their highest forums, the Chaillot Summit in 1991 and the Mauritius Summit in 1993, their desire to give a more political dimension to their work and to boost their active presence on the international scene.

The francophone community has thus decided to involve itself in the family of nations and to participate in all the major debates. First and foremost, the francophone countries of the South and of the North need to establish a relationship designed to institute consultations — possibly negotiations — on the political and human problems that arise around the world.

Thus, active francophone consultations took place on the occasion of recent major international conferences: the United Nations Conference on Environment and Development, in Rio de Janeiro in 1992; the World Conference on Human Rights, in Vienna in 1993; the International Conference on Population and Development, in Cairo in 1994; the World Summit for Social Development, in Copenhagen that year; and the Fourth World Conference on Women, which has just taken place in Beijing. On all these occasions, the Agency for Cultural and Technical Cooperation helped organize and coordinate the participation of the French-speaking States.

With the same aim of strengthening the francophone presence in international cooperation, the Agency for Cultural and Technical Cooperation opened liaison offices in Geneva in 1991 and with the European Union in Brussels in 1994. As I mentioned earlier, it has just opened an office in New York as well, thus manifesting its desire to forge closer ties with the United Nations and to play a more active and concrete role as an Observer, a status it has enjoyed since 1978.

Lastly, I wish to stress the clear complementarity of the activities of the United Nations and those of the Agency for Cultural and Technical Cooperation in the promotion of economic, social and political development. The rich and diverse programme of activities of the Agency in the fields of culture, communication, education, technical assistance and the promotion of democracy parallel in every way the concerns of our Organization.

In this context, the Agency for Cultural and Technical Cooperation has of course already been working with several regional and international organizations. Hence, its close relations with the United Nations Educational, Scientific and Cultural Organization

have helped to lay the basis of a joint commission of these two organizations. Similarly, joint programmes have been developed with the United Nations Development Programme and the United Nations Children's Fund.

We are convinced that the draft resolution now before the General Assembly will pave the way for even more fruitful cooperation between our two organizations, and we therefore call on the Assembly to adopt it.

**Mr. Boisson** (Monaco) (*interpretation from French*): The Agency for Cultural and Technical Cooperation was founded 25 years ago in Niamey to promote multilateral cooperation between countries that use French as a common language. At the beginning it had 21 States and Governments as members; it now has 44, nearly one quarter of the States Members of the United Nations, distributed throughout the five continents.

The international cooperation which the Agency engendered has lasted 25 years and the number of States and Governments which it has brought together has more than doubled in that time. This is proof that its founders, three great Heads of State — President Léopold Sédar Senghor of Senegal, President Habib Bourguiba of Tunisia and President Hamani Diori of Niger — accurately foresaw the need to affirm the ties of cooperation and solidarity between countries that history or geography had once linked, but that history and the passage of time now threatened to drive apart for ever.

With the end of colonialism and the restoration of independence to many countries, a new historical dynamic, based on the values of equality among peoples, justice and equitable economic cooperation, sought to exert itself. The magnitude and originality of the vision of these three great African wise men — confirmed by a quarter of a century of success and increasing vigour for the Agency — probably lay in their understanding that culture could be a source of mutual enrichment and fruitfulness, of rapprochement between peoples. This culture, in the larger, anthropological sense, included not only artistic expression and common languages and vernacular languages, but also the ways of life, social organization and technology that arise from the creativity, ability to adapt and intelligence that men and women have had accumulated over time across the five continents. Their vision was the founding inspiration of the Agency for Cultural and Technical Cooperation.

Moreover, this initiative fell within a favourable context of human dimension and a framework of values and hopes that were largely shared by sovereign States and Governments linked by their use of the French language, which greatly helped the Agency first to be recognized internationally and then to grow.

Twenty-five years later, when the world and societies have profoundly changed and broad political, economic and social upheavals have shaken our era, these exceptional qualities have allowed the Agency to maintain the same desire for cooperation in a spirit of respect for cultures and dialogue between civilizations.

Because their wealth and their complementarity result from their differences, the States and Governments that are members or associates of the Agency for Cultural and Technical Cooperation naturally strive to bring them into play in the regular exchange of their experiences. In our opinion, this complementarity and sharing lend multilateral francophone cooperation an original dimension based on respect for its participants, equality of its undertakings and balance in its political and economic relations, which perfectly reflect the principles proclaimed by the United Nations in the San Francisco Charter and in the many texts, resolutions, declarations and conventions adopted since 1945.

The observer status in the General Assembly which the Agency for Cultural and Technical Cooperation has enjoyed since 1978 is confirmation — if confirmation is needed — that the values of the United Nations are also those of the francophone Agency. Its participation in important international meetings organized by the United Nations on significant social issues are also an expression of its mission. The Agency has participated in international debates and exchanges of view, to which it has brought its own way of thinking and the abilities of its own member States and Governments.

The Agency for Cultural and Technical Cooperation attended the Rio Earth Summit, United Nations Conference on Environment and Development, in 1992. It prepared carefully for this, with the encouragement of its own organs, particularly the summit of Heads of State and Government held in Dakar in May 1989, and further enriched by the work of its own experts, who carefully monitored the preparatory work for this important conference.

The Government of the Principality of Monaco, having a particular interest in the topics under discussion at the world summit, was closely associated with it and is pleased to welcome its results. The Ministerial

Conference on the Environment and Development, meeting in Tunis in April 1993, furthermore adopted a five-year programme intended to contribute to the implementation of the decisions that emerged from the Rio de Janeiro Conference, and of its Agenda 21.

The same concern and the same careful attention were devoted to the preparations for the World Conference on Human Rights organized by the United Nations in Vienna in 1993. The Agency's general delegation for legal and judicial cooperation contributed to the preparation of that important Conference, with the involvement of specialists from Monaco. The Agency is now striving to provide for follow-up activity on the part of its member States that would strengthen and complement the initiatives taken by the United Nations Centre for Human Rights.

In endeavouring to place the law at the service of development and democracy, this French-speaking institution is determined to develop a spirit in which the rule of law can be expressed on a daily basis.

Along these lines, it has for some years been increasing the number of observer missions in countries where the multiparty system is being developed at their request, thus associating itself with the activities of the United Nations in this area.

In many other fields, too, the Agency is lending its support to activities being carried out by our world Organization that relate to economic and social development. It often takes its inspiration from the major conclusions of world conferences in which it has taken an active part alongside States and Member Governments or associate bodies, such as the International Conference on Population and Development at Cairo, the World Summit on Social Development at Copenhagen and the Fourth World Conference on Women, which has just concluded in Beijing.

The Principality of Monaco is pleased to note that the Agency has established cooperation with a number of United Nations specialized agencies which, by virtue of their fields of competence, have mandates that are close or complementary in nature. This is the case with the United Nations Educational, Scientific and Cultural Organization (UNESCO) in the area of education and training, for example.

In this respect, its initiatives are based broadly on the recommendations of the United Nations Conference organized by UNESCO in 1990 in Jomtien, Thailand, as well as on the programme of action adopted by the conference of Francophone Ministers of Education.

In a spirit of cooperation and partnership among its members, scientific and technical information is also one of the Agency's priorities. In the view of my delegation, such information can play a part in any action aimed at human development.

In the areas of energy and agricultural development, the role of the Agency is constantly growing and being strengthened, primarily to the advantage of the least-developed countries. Sustainable development and lasting growth are crucial to the programmes in this field. We particularly appreciate and approve of this approach.

As for cultural exchanges, the Agency plays an exemplary role. I would just mention by way of example the Market of African Performing Arts (MASA), which regularly brings together in Côte d'Ivoire the best artists of four continents in an encounter that is increasingly successful every year.

The World Amateur Theatre Festival, organized every four years in Monaco, benefits from the assistance of the Agency, which has always made a remarkably high-quality contribution to the selection of African theatre troupes invited to attend.

Inter-personal communication is also one of the Agency's major concerns. The challenges that multilateral cooperation faces as a result of technical advances and changes in the media, telecommunications and computerization, have been very seriously taken into account in the French-speaking world. The mastery of modern communication tools in the service of the Francophone community has always been encouraged by my Government, which welcomes the recent achievements in this field.

The support fund for the audiovisual productions of the countries of the South, the exchange of radio and television staff, the development of TV5 in Africa and local radio are among the methods being developed to meet these challenges, and which we are always happy to encourage.

The promotion of live arts, theatre, dance, music and public readings through the medium of reading and cultural animation centres in rural areas, as well as assistance in publishing and the granting of literary prizes, are also activities devoted to this same end. The

Agency is doing very original and innovative work in this area, which we are happy to highlight, and which we feel should be encouraged by this Organization.

Finally the Agency, in one of its more important responsibilities, has since the summit of Heads of State and Government in Chaillot in 1991 provided the secretariat for all the bodies of the French-speaking movement. That includes the summits themselves with their preparation and follow-up, the annual ministerial conference, the general conference and the governing body of the Agency itself, as well as the standing council on Francophonie, which plays a leading political and coordinating role in these matters.

The Agency is performing its new functions skilfully and meticulously, thus strengthening its role as a major institution for the execution of the decisions of the political bodies of the French-speaking movement.

For all these reasons, and for many others that we will refrain from mentioning here because of time constraints, Monaco, which was represented at Niamey in 1970 when the Agency for Cultural and Technical Cooperation was founded, welcomes and appreciates the opportunity thus granted to it today to encourage cooperation, which I would describe as natural, between the Agency and the United Nations.

The debate which the General Assembly is devoting to this question and to the draft resolution which, I very much hope, we will be able to adopt, and of which Monaco is a sponsor, gives me grounds to hope that more and more joint initiatives may be taken in the future in the areas of competence common to the Agency and the United Nations.

The opening in New York of a permanent office for the observer mission of the Agency to the United Nations symbolizes this desire to strengthen cooperation between the two multilateral institutions, while at the same time offering encouragement for the future, in that closer geographical proximity should facilitate such cooperation.

**Mr. Dorani** (Djibouti) (*interpretation from French*): I should like first to welcome the important initiative taken by 44 States and Governments in the francophone world, stretching from America to Asia by way of Europe and Africa, of submitting to the General Assembly a draft resolution entitled "Cooperation between the United Nations and the Agency for Cultural and Technical Cooperation". The delegation of Djibouti endorses what the delegation of France said on behalf of our Group. In that statement the Ambassador of France was kind enough to explain the background to the draft resolution.

Keeping a sense of proportion and intending to offend nobody, may I say that the Agency is a United Nations in miniature, since a quarter of the countries present here are represented in it. Apart from the United Nations, it is the only organization where all races, colours, religions and cultures of the world are represented; in other words, every characteristic of the world's peoples is represented. Its mandate is to affirm and develop among its members, and beyond, multilateral cooperation on matters ranging from education to economic development, as well as ensuring a State of law.

However, the Agency is not confined to these areas, however important they may be. It has already begun to develop a political dimension, using its own methods, by contributing to the maintenance of international peace and security. In addition, conflict prevention is essential, and the French-speaking community — by which I mean the Agency for Cultural and Technical Cooperation — has already committed itself to this kind of role, and will do so increasingly in the future.

Let me mention the tragedy of Rwanda as just one example. It was a very serious blow to the heart of the francophone community. Happily, a great country in our large family — great above all because of its values — had the wisdom to take positive action, saving hundreds of thousands of lives. As a member of the Security Council at the time, Djibouti welcomed that initiative and the noble task that was undertaken. The African continent as a whole will always be grateful to all the countries that have taken humanitarian measures to help.

The francophone movement is now trying to define the contribution that it should and can make to conflict prevention. Our movement will not develop parallel conflict-prevention measures, and it will not in any way set itself up as a rival to any international or regional organizations. On the contrary, we shall support their efforts.

Finally, Djibouti believes that the General Assembly's adoption of this draft resolution will demonstrate that the international community respects the ideals of the Agency for Cultural and Technical Cooperation. My country is keen to see such recognition of the Agency.

**Mr. Reyn** (Belgium) (*interpretation from French*): Belgium is one of the sponsors of the draft resolution on cooperation between the United Nations and the Agency for Cultural and Technical Cooperation. In introducing the draft resolution, the Ambassador of France, as Chairman of the francophone Group, highlighted the Agency's important contribution to our work here, and the Ambassadors of Monaco and Djibouti have added to the information that he gave.

Belgium welcomes the fact that the Agency now has an office at the United Nations. We believe that reinforcing this presence is the beginning of a new partnership, strengthening the Agency's participation as an observer, a status that it has had for more than 17 years.

The draft resolution is an effort to strengthen cooperation that is not new, having already been demonstrated. I am thinking especially about the Agency's active participation in recent major conferences — participation that my delegation in particular welcomed. This cooperation can only strengthen, through a new partnership, the dialogue and communication that our organization aims to promote between countries which, through a common language, have cultural elements in common.

The francophone community is a reality which can only benefit us, given the wealth and diversity of its member States, as we seek solutions to the challenges facing us in today's world. The desire to help solve political problems is expressed here. Belgium is glad that this partnership between the Agency and the United Nations, can be a catalyst to give substance to that desire. We trust that the draft resolution will be adopted by consensus.

**Mr. Adechi** (Benin) (*interpretation from French*): Benin was very honoured to join the delegations of many other francophone countries in taking the initiative of submitting to the General Assembly this draft resolution on cooperation between the United Nations and the Agency for Cultural and Technical Cooperation. The delegation of Benin endorses the statement made by the representative of France in his eloquent introduction of the draft resolution.

Like those representatives who have already spoken, I pay tribute to the Agency for Cultural and Technical Cooperation and testify to its tireless action in the cause of development and peace. Indeed, the Agency, which is the sole intergovernmental organization of the francophone world, has been able, on the basis of a common language, to establish a dynamic solidarity between countries of Africa, America, Asia and Europe.

Reflecting many different cultures, the Agency is increasingly recognized as an important meeting point for the strengthening of cooperation and solidarity between peoples. Here I pay it a well-deserved tribute for its valuable participation in all the major conferences organized by the United Nations since 1990, as well as for its initiatives to facilitate the participation of representatives, Governments and non-governmental organizations of member States of the Agency.

The Agency's sphere of operation, which includes such varied fields as education, communications, energy, environment and agriculture, among others, is well in keeping with the spirit of the relevant provisions of the Charter envisaging resort to international institutions to foster economic and social progress for all peoples. It was precisely for the purpose of underscoring this complementary relationship between the Agency's activities and those of the United Nations that the Agency has enjoyed observer status since 1978.

Cooperation between the Agency and the United Nations, then, is nothing new. None the less, the new challenges facing the community of nations today call for the establishment of broader consensuses, a concerted effort and increased coordination of development policies in a spirit of fair competition and with respect for diversity.

The strengthening of cooperation between the Agency for Cultural and Technical Cooperation and the United Nations can only be a positive contribution. For this reason, I strongly recommend this draft resolution to the Assembly and am sure that it will choose to adopt it by consensus.

**Mr. Diabate** (Côte d'Ivoire) (*interpretation from French*): Côte d'Ivoire is a sponsor of the draft resolution on cooperation between the United Nations and the Agency for Cultural and Technical Cooperation (ACTC). Allow me, on behalf of my delegation, to join earlier speakers in stressing the importance of this subject, as well as the keen interest my country takes in it.

It is fitting to recall that since its creation in 1970, the Agency for Cultural and Technical Cooperation, which at that time had 21 members and now has 44, has pursued objectives similar to those set by the United Nations. The Agency's most important areas of activity

cover education and training, culture, communications, agriculture, energy, environment, promotion and protection of human rights and support for the democratization process.

The concurrence between the purposes of the United Nations and those of the Agency for Cultural and Technical Cooperation is perfectly illustrated by the repeated mention of these topics by a number of speakers in the general debate of the last three weeks and the fact that they have been studied extensively. This concurrence also indicates the need for strengthened and increased cooperation between the two organizations in order to bring their common ideals to fruition.

Furthermore, in recent years, within the ACTC a number of activities have been developed that are worth mentioning because of the genuine benefits derived from them by the francophone countries involved. I am referring in particular to assistance and logistical support provided by the ACTC to the francophone countries of the South for their participation in world summits organized under the auspices of the United Nations, such as the World Summit for Children, held in New York in 1990, the United Nations Conference on Environment and Development, held in Rio in 1992, the World Conference on Human Rights, held in Vienna in 1993, the International Conference on Population and Development, held in Cairo in 1994, the World Summit for Social Development, held in Copenhagen in 1994, and the Fourth World Conference on Women, held in Beijing in 1995. At such summits and conferences, the ACTC organizes consultative meetings for francophone countries, makes necessary arrangements for certain governmental delegations and non-governmental organizations and publishes a daily information bulletin in French. Furthermore, the ACTC provides francophone delegations with a logistical-support secretariat. Thus, the significant role played by the ACTC at the Beijing summit continues to have an impact, not simply because it was so recent, but, rather, because of the magnitude of its role and the extent to which it was appreciated by those whom it served.

All these ACTC initiatives, the scope of which we are now taking the measure, are intended to facilitate the participation of some States in these summits. They are francophone States, to be sure, but they are also Members of this great family of the United Nations, and they are States that without such logistical support would find it difficult to participate effectively in such important world summits. There can be no question that such initiatives are in keeping with another ideal shared by the United Nations and the ACTC: solidarity between Member States, between nations and between peoples.

In conclusion, in order to enable the Agency for Cultural and Technical Cooperation to continue and further strengthen its cooperation with the United Nations, the delegation of Côte d'Ivoire recommends that the General Assembly unanimously adopt the draft resolution on cooperation between the United Nations and the Agency for Cultural and Technical Cooperation.

**Mr. Abdellah** (Tunisia) (*interpretation from French*): The consideration of the agenda item on cooperation between the United Nations and the Agency for Cultural and Technical Cooperation (ACTC) gives me the opportunity to expound Tunisia's viewpoint on the potential role of regional and supraregional organizations, such as the ACTC, in bringing peoples together and in contributing to the renewal of multilateralism.

With specific regard to the Agency for Cultural and Technical Cooperation (ACTC), I am pleased to recall that this intergovernmental organization, based on common ideals of dialogue, solidarity and cooperation, is composed of 44 States and Governments whose peoples share the French language as a cultural vehicle, a carrier of civilization and a tool for access and technical advancement. Those are the hopes of the founding States, including Tunisia, for achievement of the objectives of the Agency, which was established in 1970 as a catalyst for development and mutual enrichment.

Over the past 25 years, the Agency, despite its youth, has carried out a wide variety of supraregional activities, transcending ideological rifts at a time when the cold war was raging. That is why, despite all the obstacles, the Agency has been so successful, with the number of its member States and Governments rising from 21 at the beginning to 44 today. Over the same period, the Agency has responded to changes both internationally and within its member States by diversifying its activities and increasing the number of its operations and initiatives, thus meeting the hopes it has aroused since its creation and revitalizing its patterns of cooperation on a dynamic and reinvigorated basis.

Here I wish to touch on the main focuses of the Agency's work. Apart from education, training, culture and communication, the ACTC has created specialized training programmes in the areas of agriculture, food production, environment and energy. In the latter sector in particular, this intergovernmental organization has

helped set up a support programme for energy capability and transfer of technology in the area of new and renewable sources of energy.

Another area in which the Agency has played a leading role is that of the environment; here the ACTC has contributed to national environmental plans of action, to natural-resources management, and to the management of national parks and preserves.

The expansion and intensification of the Agency's activities have been designed to reflect its leadership's concern for efficiency and effectiveness, and aim to formalize cooperation with other regional and international organizations. Through that approach, the Agency has tried to avoid dissipation of its efforts, to benefit from complementarity among organizations dealing with similar or related issues, and thus to create the synergy needed for the success of development programmes for the South, and for the prospects for partnership among the States members of the Agency.

In that spirit, the ACTC has signed framework agreements with the Organization of African Unity, covering such areas as the legal sphere and human rights. The ACTC has joined with the United Nations Industrial Development Organization in creating a support programme for small agro-industrial enterprises in least-developed countries. Moreover, the Agency has begun promising cooperation with the United Nations Educational, Scientific and Cultural Organization and with the Islamic Educational, Scientific and Cultural Organization. Those programmes involve the production of literacy material and the cofinancing of training operations. And along with the World Bank, the Agency has contributed to the financing of programmes in the areas of energy and the environment.

Drawing on that experience, the Agency wishes now to expand its cooperation to justify the hopes placed upon it, by making its relationship with the United Nations an official one. As a founding member of the ACTC and as an active participant among countries that share the French language, Tunisia supports the formalization of cooperation between the Agency and the United Nations. The cooperation we wish to see between the two organizations is in keeping with the reforms the United Nations is undertaking towards involving regional institutions more closely in its activities. The involvement of such institutions in development endeavours increases their responsibilities and could also reduce the heavy administrative and financial burden borne by the United Nations.

The ACTC, whose States members come from all five continents, with their consequent wealth of culture and civilization, and whose peoples belong to both the North and the South, will certainly be able to make an active contribution to the renewal of international cooperation.

**Mr. Ould Ely** (Mauritania) (*interpretation from French*): As this is my first statement before the General Assembly at this fiftieth session, let me begin, Sir, by saying how pleased my delegation is to see you presiding over our work. We know your experience and personal qualities, and are certain that under your leadership our work will yield positive results.

Formalization of the cooperation between the United Nations and the Agency for Cultural and Technical Cooperation (ACTC), which will be approved this morning, could not be taking place at a more historic or a more auspicious moment. The celebration in a few days' time of the fiftieth anniversary of the United Nations will mark the Organization's coming of age, and will also be an opportunity to lay the foundations for forms of international cooperation free from the ideological confrontation of the past, and directed firmly towards global challenges. These challenges include economic and social development, strengthening democracy and respect for human rights, promoting sustainable development while bearing in mind the need to protect the environment, fighting the scourge of drug abuse, and promoting equality for men and women.

It is fortunate that in all these areas the work of the United Nations has been supported by the Agency for Cultural and Technical Cooperation, which has the same objectives and defends the same ideals of peace and cooperation and understanding among peoples. Established on 20 March 1970 as a joint project of the countries that use French as a common language, to establish the expression of a new solidarity and an additional factor for rapprochment between peoples by a permanent dialogue of different cultures, the Agency has always carried out its activities with due respect for the identities of each of its members, while participating constructively in the world dialogue. From Rio to Beijing, it has participated actively in the deliberations which led to the adoption of various programmes of action, and it encouraged participation by its members.

The Heads of State of the countries that use French as a common language, gathered together in the francophone community, decided at their recent Summit

in Mauritius to establish a new partnership with all the institutions that are members of the United Nations family, thereby emphasizing the complementarity between the United Nations and the francophone movement. In so doing, they gave concrete expression to Chapters VIII and IX of the United Nations Charter, which encourages close cooperation between regional bodies and the United Nations in order to create the conditions of stability and prosperity needed to ensure peaceful and friendly relations between countries and thus maintain peace and security.

In this regard, the Agency for Cultural and Technical Cooperation plays a positive leading role within the francophone community by guiding multilateral cooperation between its members in areas of interest to the United Nations, such as the place of law in the service of development and democracy, education and training, and technical cooperation in vital sectors, such as energy, scientific information and the environment.

The Islamic Republic of Mauritania, which has always based its policy on dialogue and friendly agreement, can only be proud to be involved in an initiative which encourages understanding between nations and peoples. Both an Arab and an African country that has inherited many different cultures, Mauritania feels at home in an organization which, respecting cultural diversity, advocates fruitful dialogue, to the benefit of all its members, for the preservation of peace and stability. This is why we are happy to sponsor the draft resolution, and trust that it will be adopted by consensus.

**Mr. Osseyi** (Togo): My delegation is speaking on this agenda item in order to draw attention to the interest that the Government of Togo takes in the activities of the Agency for Cultural and Technical Cooperation and the importance we attach to it as the one intergovernmental organization of the francophone world. I would also like to highlight the capacity of the Agency, because of the nature of its activities, to contribute to resolving the political and economic problems of the world today through a structural partnership with all the agencies that are members of the United Nations family.

On 27 October 1994, in Bucharest, the Secretary-General told the Romanian Parliament:

> "The United Nations should ... be able to provide Member States with technical assistance to help them adapt their institutions, assist their citizens and train their personnel. It is vitally important to create independent judiciaries, establish armies that respect the rule of law, train police to be the guarantors of people's freedom, and to set up systems designed to educate the population in the field of human rights."

To carry out this mission of peace throughout the world, and particularly in the developing countries, it is clear that the United Nations system, however willing, cannot alone measure up to what is at stake and meet the challenges the Organization faces. The United Nations alone cannot cope with the problems of all States, or groups of States, and do the detailed elaboration of programmes to promote the desired development. It is essential to have the involvement of other structures, which I would describe as taking up the baton from the United Nations.

The Agency for Cultural and Technical Cooperation's mandate is to maintain and develop multilateral cooperation between its members in areas such as education and training, culture and communications, energy, the environment, agriculture, economic development, economic information and the promotion of the rule of law, and we believe wholeheartedly that it is one of the agencies that can lend support to the United Nations.

For example, since the United Nations began its series of conferences focusing on the essential aspects of change and development at the global level, the Agency has stood steadfastly at its side to help define the goals to be sought. Beforehand, it prepared for the conferences by, *inter alia*, organizing meetings of the francophone countries, either at the fringes of the preparatory committee meetings or on an ad hoc basis to harmonize positions, ensuring the participation in large numbers of francophone government representatives and representatives of non-governmental organizations in the conferences and non-governmental organizations' forums. Afterwards, the Agency contributed to the implementation in the francophone world of the programmes of action adopted by the conferences. For example, in the follow-up to the Vienna World Conference on Human Rights, to give just one example, the Agency was involved in providing education and training in human rights for magistrates, others involved in the administration of justice, educators and journalists. At the same time, it was active in preparing, editing and distributing teaching materials on human rights, while supporting the processes of democratization and improving conditions for the administration of justice.

For all these reasons, the Government of Togo, which greatly appreciates the Agency's support for development efforts in Togo, joined other Governments in calling for the inclusion on the agenda of the item entitled "Cooperation between the United Nations and the Agency for Cultural and Technical Cooperation" and co-sponsored the draft resolution.

We did so because we are convinced that the United Nations and the Agency share the same ideals and pursue the same objectives of peace through human development, and that strengthening their cooperation by having close and regular relations can only speed up the attainment of these objectives.

My delegation trusts that draft resolution A/50/L.4 will be adopted by consensus.

**Mr. Moubarak** (Lebanon) (*interpretation from French*): My delegation is pleased to be one of the sponsors of the draft resolution on the Agency for Cultural and Technical Cooperation. Lebanon is one of the 37 member States of the Agency, the intergovernmental organization of the francophone movement, which is, above all, a meeting point formed around an ideal. This year it celebrates its twenty-fifth anniversary, at a time when it is experiencing renewed vigour.

The multilateral cooperation that the Agency seeks to develop among its members is broad-ranging, affecting education, training, culture, communications, energy, the environment and much more. We believe that support for educational systems, the promotion of literacy, preservation of our heritage, the development of the creative potential of audiovisual products, support for national plans of action on the environment, the management of national parks and other protected areas and inter-parliamentary cooperation are all matters that should be steadily developed and that have an increasingly tangible and specific impact now that the Agency is seeking to cooperate more fully and more systematically with the United Nations system. As the Agency is increasingly involved in the United Nations system, its impact will be enhanced.

There is no question but that the francophone movement plays an important role in the community of nations, both on the political level and on the cultural level. And, since 1990, we have seen the Agency playing a growing role in world conferences and summits organized by the United Nations. It is therefore natural for the Agency's activities to be coordinated with those of the United Nations system and for there to be increased cooperation between the Agency, the United Nations and the specialized agencies.

Lebanon is one of the Agency's oldest and most active members. It considers that the Agency performs a function which is fully in accord with the spirit and the letter of international life. Our delegation is therefore anxious to see the unanimous adoption of the draft resolution.

We should now be able to look forward to the Agency's playing an increasing role in harmony with international programmes. Much is at stake. This means a fresh start, rejuvenation. This interaction should succeed in harmonizing our complementarity and our differences to the benefit of the members of the Agency and of the international community. This is why we are eager to see this objective achieved. We would convey once again to the Permanent Observer of the Agency our best wishes and assure him of the full support of our delegation.

**The President** (*interpretation from French*): In accordance with resolution 33/18 of 10 November 1978, I now call on the Observer for the Agency for Cultural and Technical Cooperation.

**Mr. Bouabid** (Agency for Cultural and Technical Cooperation) (*interpretation from French*): This is the first time that, as Permanent Observer of the Agency for Cultural and Technical Cooperation, I have spoken here in the General Assembly. I am particularly pleased to do so at an anniversary session of the General Assembly on an item concerning cooperation between the United Nations and the Agency for Cultural and Technical Cooperation. I am also particularly pleased to be doing so under your presidency, Sir. I extend to you my warmest congratulations on your election to the presidency of this particularly important session of the General Assembly. Your personal qualities, your extensive knowledge of international relations and your considerable political experience give us all good reason to expect a successful outcome to the work at this session under your guidance.

I would also like to pay tribute to your predecessor, His Excellency Mr. Amara Essy, Minister for Foreign Affairs of the Côte d'Ivoire, and a distinguished member of the Ministerial Conference of the francophone movement. The manner in which he presided over the last session was appreciated by everyone.

Lastly, in this most memorable year in the life of the United Nations, I would like to extend to the Secretary-General, His Excellency Mr. Boutros Boutros-Ghali, on behalf of the Secretary-General of the Agency for Cultural and Technical Cooperation, Mr. Jean-Louis Roy, and on my own personal behalf, a message of congratulations, support and commitment to him for his constant and tireless efforts at the head of this Organization to promote the goals of world peace, security and development. These are the same goals of peace and development sought by the francophone community, grouped together within our organization, the Agency for Cultural and Technical Cooperation. They are the very foundation of the francophone ideal, as laid out by the founders of the intergovernmental francophone movement in Niamey in 1970, when they established the Agency.

Since then, over 25 years, this idea has brought progress extending to five continents. It brings together a community of more than 400 million persons, in Europe, Africa, America and Asia, with one common goal: to provide a space for dialogue, cooperation and partnership with total respect for diversity. Its unity is based on a community of values and of language, devoted to the promotion of peace, justice, security, solidarity and democracy and respect for human rights and fundamental freedoms, which are universal and inalienable.

These are the principles of the francophone movement, as strongly reconfirmed in the statement issued at the Summit of Heads of State and Government of countries that use French as a common language, held in Mauritius in October 1993. It was at that same Summit that our Heads of State and Government, after studying the international political and economic situation and recognizing the importance of multilateralism in the new international context, restated their desire to contribute actively to the solution of the major political and economic problems of today's world and to begin a new partnership with all the organizations that make up the United Nations family. At the same time, they paid tribute to the historic role played by the United Nations and reiterated their full support for its Secretary-General, particularly in the implementation of the Agenda for Peace and the Agenda for Development.

They also defined a strategy for multilateral cooperation in the areas of development mentioned by many earlier speakers: education and training, culture and communications, energy, the environment, agriculture, the economy, scientific information and the strengthening of the State of law. They called on the Agency for Cultural and Technical Cooperation to pursue and intensify its cooperation with international organizations, particularly the United Nations, in the implementation of the programmes mapped out for those fields. The francophone movement also recalled that a common language can be a dynamic vehicle for exchange and cooperation and a catalyst for enriching world dialogue.

Among the duties assigned to the Agency by its statutes is the responsibility of maintaining ties with international organizations involved in the same areas of activity and of ensuring the greatest possible level of consistency and viability in initiatives that are undertaken. In that context, the Agency for Cultural and Technical Cooperation has been represented at the European Union since 1994. Very recently, a permanent observer office of the Agency was also opened at the United Nations. This office, which I have the honour to direct, is also responsible for ensuring liaison with the World Bank and the International Monetary Fund. These two new arrangements strengthen our organization's plans to ensure permanent ties with international organizations, the first phase of which was the establishment in Geneva in 1991 of representation at the United Nations and its specialized agencies in that city.

These recent actions are simply an extension of the Agency's regular activities *vis-à-vis* the international organizations. These activities have two goals. The first is to offer our member countries responses that are more relevant to their development needs through external technical and financial resources made available to them jointly by the Agency and these organizations. The second is to ensure, in close cooperation with the authorities of the countries concerned, the coordination of activities undertaken in a particular field by the Agency and other organizations. This would rationalize the measures they take and avoid duplication and concentrate existing resources on specific targets.

In a world where the problems of development are what they are, particularly in the countries of the South, and where resources to address them are limited, logic and realism require synergy, rationalization, collaboration and solidarity.

Specific measures of cooperation undertaken in this spirit have been taken by the Agency with a number of other international organizations, including the United Nations Industrial Development Organization, the Organization of African Unity, the United Nations Educational, Scientific and Cultural Organization, the

Islamic Educational, Scientific and Cultural Organization, the European Commission, the Indian Ocean Commission, the African Development Bank and the World Bank. On the same model, we wish to develop our ties to the United Nations.

The observer status which our Agency has enjoyed at this Organization and the ever-increasing participation of the francophone movement in world conferences organized by the United Nations have, I believe, been at the heart of the promising relationship between our two organizations, particularly in recent years. I should like to cite certain experiences that highlight the complementarity of the activities of the two organizations and, in some cases, the synergy that has arisen.

At the Rio Summit on environment and development, the countries using French as a common language participated as a group on the basis of a consensus reached at their conference of environment ministers organized by the Agency in Tunis from 19 to 23 April 1991.

During the preparations for the Summit, in order to facilitate negotiations at the international level on two of the most important items on the agenda, the Agency for Cultural and Technical Cooperation carried out two studies on financial resources and mechanisms and on transfers of technology for environment and sustainable development. These two studies were submitted to the fourth session of the Preparatory Committee of the United Nations Conference on Environment and Development as the francophone contribution to the work of the Rio Summit.

As for the follow-up to that Summit, the Agency made available to its member States — and in particular the countries of the South — small groups of governmental experts to strengthen their participation in the work on the Conventions on climate change, biodiversity and the struggle against decertification and drought.

The second example I wish to cite concerns the preparations for, proceedings of and follow-up to the Vienna World Conference on Human Rights. As part of the preparations for the Conference, the Agency organized, in Libreville in May 1993, a meeting of experts of its member States, which produced an agreed francophone document that was submitted to Vienna as the francophone community's contribution to the search for a world consensus on the Conference's final document.

In a statement he made in Brussels on 24 March 1994, Francophone Day, the Secretary-General of the Conference, Mr. Ibrahima Fall, said:

> "Through their active participation in the work of the Preparatory Committee of the Conference in April 1993 in Geneva; through a special meeting of French-speaking human rights experts in Libreville in May 1993; and through the coordination of collective participation by the francophone community during the Conference itself, with the assistance of the Agency for Cultural and Technical Cooperation, the representatives of the francophone States made a significant contribution to the political and diplomatic success of Vienna and to the quality of the final document adopted by the Conference."

As follow-up to the Conference, joint meetings with the United Nations Centre for Human Rights allowed us to identify areas for cooperation between the Agency, through its general delegation for juridical and judiciary cooperation, and the United Nations for the implementation in the francophone world of the plan of action adopted at the international level. Among relevant areas, I would mention the joint organization of training seminars for the preparation of national reports to be submitted by countries pursuant to international human rights conventions to which they are party; human rights training and education for magistrates, justice system administrators, educators and journalists; the establishment of regional centres for human rights training; and the conception, publication and distribution of teaching aids for human rights.

I could also speak about the preparations for and proceedings of the recent World Conference in Beijing, where the francophone community had a stronger presence than at any other world conference. This was mentioned by the representative of Côte d'Ivoire. Three follow-up activities are already planned jointly with the United Nations, including a seminar to be held in Bangui, Central African Republic, in a few weeks — in November — on the drafting of national reports pursuant to the Convention on the Elimination of All Forms of Discrimination against Women. But I prefer to emphasize other types of cooperation that have been undertaken with the United Nations in the framework of our programme entitled "Law in the service of development and democracy", which should be one of the major axes of future cooperation between the two organizations.

In the area of election monitoring, the Agency for Cultural and Technical Cooperation, acting pursuant to a decision by the standing committee of the French-speaking movement, has since 1993 sent about 25 election observation missions to countries members of the French-speaking movement that had so requested. With only a few exceptions, those missions are always preceded by an exploratory mission to analyse the socio-political context and environment of the election, as well as any measures or arrangements, whether structural or technical and legal, that might be taken or which are already under way to prepare and organize the election, and then to collect all the texts and documents relating to it.

This is a very important area, where our two Organizations should strengthen their cooperation further and act in close collaboration, both during the preparatory phase leading up to the election and during the actual holding of the election, in accordance with the model of the legislative elections in Benin in March 1995, where true coordination was achieved.

In Rwanda, in response to a request by the Rwandese authorities to a number of international organizations, including the Agency for Cultural and Technical Cooperation calling for action to support the establishment of a state of law and to aid national reconciliation, a joint mission of the Agency, the United Nations Development Programme (UNDP) and the United Nations Centre for Human Rights was organized from 16 to 22 November 1994 on the basis of agreed terms of reference. The report of that mission served as the basis for the plan of action proposed to the round table of creditors of Rwanda organized at Geneva on 18 and 19 January 1995.

The French-speaking movement, in coordination with UNDP and the Centre for Human Rights, provided support for the arrangements by sending magistrates and human rights observers, as well as by supporting the work of the Special Rapporteur, in implementation of the plan of action.

These are just a few examples of the kind of pooling of resources that can result in benefits for Member States and promote the effectiveness of activities undertaken by the various actors in multilateral cooperation. It is our hope that these examples will be strengthened, multiplied and broadened to all the activities and areas of common interest between the United Nations and our Agency. This was the desire of our Heads of State and Government, as has been confirmed by the many delegations that have asked to speak on this agenda item at the current session, and which have also become sponsors of the relevant draft resolution.

I should like to extend to those delegations, as well as to all the member States of the French-speaking group, the appreciation and thanks of the Secretary-General of the Agency and on my own behalf for the statements they have made this morning in favour of the actions and operations of the Agency, and for the active support they have thus shown for strengthening the cooperation between the United Nations and the Agency for Cultural and Technical Cooperation, thus injecting fresh vigour into multilateral francophone and international cooperation. It is our hope that the Secretary-General, in the report he is to submit to the General Assembly at its fifty-second session in accordance with the draft resolution now under consideration, will be able to note significant progress in this area.

**The President** (*interpretation from French*): We have heard the last speaker in the debate on this item.

We shall now proceed to consider draft resolution A/50/L.4.

May I take it that the Assembly decides to adopt draft resolution A/50/L.4?

*Draft resolution A/50/L.4 was adopted (resolution 50/3).*

**The President** (*interpretation from French*): May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 157?

*It was so decided.*

*The meeting rose at 12.25 p.m.*